

STAFFORD COUNTY PLANNING COMMISSION MINUTES

February 23, 2011

The special meeting of the Stafford County Planning Commission of Wednesday, February 23, 2011, was called to order at 6:30 p.m. by Chairman Gordon Howard in the Board of Supervisors Chambers of the County Administrative Center.

MEMBERS PRESENT: Howard, Rhodes, Fields, Hazard, Mitchell, Kirkman and Hiron

MEMBERS ABSENT: None

STAFF PRESENT: Harvey, Smith, Stinnette, Baker, Zuraf and Bullington

DECLARATIONS OF DISQUALIFICATION

Mr. Howard: Are there any declarations of disqualification? Hearing none, the purpose of this meeting is really to discuss the UDAs and allocation of future dwelling units in the Comprehensive Plan as we were directed to do by the Board of Supervisors recently. That's the only thing on the agenda so what I would do is ask, is there a motion to adopt the agenda?

Mr. Rhodes: So moved.

Mr. Howard: Is there a second?

Mrs. Hazard: Second.

Mr. Howard: Any discussion on the agenda? Hearing none I'll call for the vote. All those in favor of adopting the agenda as written signify by saying aye.

Mr. Fields: Aye.

Mrs. Hazard: Aye.

Mr. Rhodes: Aye.

Mr. Mitchell: Aye.

Mr. Hiron: Aye.

Mr. Howard: Aye. Opposed nay? The motion carries 6-0. Alright, so we're on the agenda and we're into New Business and this is the discussion of the UDAs and allocation of future dwelling units. And we'll go right to staff on this.

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Discussion of UDAs and Allocation of Future Dwelling Units in the Comprehensive Plan

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Mr. Harvey: Thank you Mr. Chairman. At your desk you'll find a memorandum that staff has put together for the Commissions' consideration. In order to spur on the discussion, we have developed a strawman of how these allocated units can be further refined as far as the dwelling unit (inaudible) for each of the UDAs, as well as identifying specific unit numbers for the UDAs where a range was specifically called for. As you may recall, there were areas such as Brooke and Courthouse which gave a range of potential dwelling units, as well as Southern Gateway and George Washington Village. Additionally, there's some things that the Commission needs to consider regarding additional public facilities and the boundaries of the UDAs. Staff will note that in order to try to keep on track for advertising purposes, we would highly recommend the Commission give us clear guidance on the boundaries of these UDAs because we have to have the mapping to the newspaper in advance of the normal advertising deadline.

Mr. Howard: Mr. Harvey, there was also a land use designation issue brought up because the Stafford Station UDA was not adopted as part of the Comprehensive Plan. I recall it was brought up at the last meeting. Did you think through that and come up with a recommendation on...?

Mr. Harvey: Yes, Mr. Chairman. Mr. Zuraf has a power point presentation with a walk-through of the strawman that the staff has recommended.

Mr. Howard: Okay.

Mr. Harvey: So I'll turn it over to Mike.

Mr. Howard: Excellent.

Mr. Zuraf: Good evening Mr. Chairman, members of the Planning Commission. Can we go to the computer please? Jeff's already covered a lot of the background so I won't go through this. But I will go through in some detail the handouts that you've received. You do have several attachments. Attachment 1 is a summary chart on one page that shows the existing mix of dwelling units in each Urban Development Area, the proposed additions to the Urban Development Areas, and then the totals resulting from these additions. This does reflect recommendations from staff.

Ms. Kirkman arrived at 6:36 p.m.

Mr. Zuraf: Attachment 2 are specific summary sheets for each of the Urban Development Areas that include a map of recommended boundary adjustments and then some notes as to some of the reasoning for the recommendations. We also have reference materials; attachment 3 is the existing Urban Development Area descriptions that are in the Comprehensive Plan for reference. And then the last attachment is the Board Resolution 11-78 that includes some of the specific direction that we're working off of. Also, before I get into some of the details, one of the assumptions that staff in going through and determining the allocation of the units in a more specific manner was to maintain the same mix of dwelling unit types that were previously proposed in the Stafford Station and Brooke Urban Development Areas before they were removed. So that mix, for your information, was 1,150 multi-family units, 650 townhomes and 2,200 single-family homes. So we use that as a basis when we're figuring out the different mix of unit types in each of these areas. First, looking at the overview, that kind of goes along with attachment 1 and in attachment 1 you will note there is a blank column. We have a column in there that we could use as we get into this if there are separate Planning Commission suggestions or recommendations that differ from what staff is recommending here; so we can enter that in. On this slide we show kind of the overall allocation in the different areas. The blue dot represents

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the new Urban Development Area which is the Brooke Urban Development Area. So there are seven Urban Development Areas. The yellow dots represent the existing Urban Development Areas that would be expanded under this proposal. And then the green dot in the existing Urban Development Area; that does not change. That's the Eskimo Hill Urban Development Area. The numbers that go along with each of these locations, the top number represents the additional dwelling units in each area that would be recommended. And then the bottom number then would be the resulting total number of recommended dwelling units in each. Kind of going through them, some of the recommendations from the Board were very specific. There are specific numbers of units but then there were certain areas where a range was left to the Commission to decide. I want to start out with the Leeland Station Urban Development Area. And I'm going to go through these quickly and then we'll get into more detail. That one was a specific recommendation to add 250 dwelling units, so there's no big shock there. In the next one, kind of heading up the Brooke Station Urban Development Area, that recommended a range of potential units from 600 to 850.

Mr. Howard: Yeah, Mr. Fields?

Mr. Fields: As we go through this, would it be okay to ask on some of these... some of these properties of course are out in currently agricultural zoned areas. Some of them... I'm just looking at the Leeland Town Station... already have different layers or types of residential zoning. And, if staff knows this without too much trouble, can you give us an indication like as we go through this whether this change say to Leeland Town Station is all... the range from 750 to 1,000 is still within existing vested zoning or would it require rezoning or reorganization of the zoning on the part of the developer that holds the property? Some of them, obviously things like Brooke that are A-1 we kind of know that, but some of these that have existing residential/commercial/industrial zonings, could you kind of tell us just a quick synopsis of what's involved in getting (inaudible).

Mr. Howard: I guess if Mr. Zuraf knows that, that's okay to (inaudible).

Mr. Fields: Yeah, I mean, I don't want to put you on the spot.

Mr. Zuraf: Yes, I will try to add that bit of information as we go through them.

Mr. Fields: Okay, thanks Mike.

Mr. Zuraf: So, for Brooke Station, the recommendation is for 870 units. And when we get into the details, we'll provide a little bit more reasoning why.

Ms. Kirkman: I'm sorry; so are you going to clarify as you go over each one whether or not a rezoning is required?

Mr. Zuraf: I'm just kind of brushing over...

Mr. Fields: You're going to go back and pick that up, right?

Mr. Howard: I think that was the request Mr. Fields wanted, if Mr. Zuraf had firsthand knowledge of the current zoning and would it be impacted by adding these dwelling units. If he knows that, great; if not, that's okay too.

Mr. Zuraf: Yeah. I will do that after I go through this.

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Mr. Fields: Okay; thanks Mike.

Ms. Kirkman: So you're not going to do it as you go through each one?

Mr. Zuraf: Yes, but I'm just going to brush over each one right now. But I'm going to go into more detail...

Mr. Howard: He's giving us a high level overview, then he's going into detail for each one.

Ms. Kirkman: Okay; I'm just trying to understand.

Mr. Zuraf: Okay, kind of circling around the County, going up to the Courthouse area staff recommended 730 additional units in this location. These two areas, Courthouse and Brooke, were not allowed to exceed 1,600 units in total, when you combine what's being added. So that adds up to 1,600 there. Circling around to George Washington Village, that one was tied in with Centreport somewhat and part of the allocation was that 1,200 units needed to be divided among George Washington Village and Centreport. So, 930 of those units are recommended to go into George Washington Village. Going down to Centreport in this location, Centreport kind of got double requirement in that they had to take on part of those 1,200 units, but then also an additional 250 units. So, staff was recommending 520 units in this area. And then the last one is an expansion of Southern Gateway and adding 700 units to this Urban Development Area. Now going into more of the details of each Urban Development Area, this goes along with information that you have under attachment 2 in your materials. In Leeland Station, the requirement was 250 additional units and in looking at this, staff is making a recommendation for 200 of those to be single-family detached and then the remaining 50 to be townhomes. Staff was recommending the 200 units be recommended in the areas of Leeland Station that are already zoned but unbuilt. That would be basically to the south and across from Primmer House Road. Primmer House Road meets Leeland Road in this location, so it's kind of the southeast quadrant from that location. In this area, Leeland Station had single-family detached homes planned in that location. They did not have upwards of 250; it was a lower number. So to kind of get to Mr. Fields' question, a rezoning would be needed to be able to increase that intensity to get up to 200 single-family units in this location. I will also note that other areas of Leeland Station were already planned in the Urban Development Area, the area that I'm highlighting here. This was part of the 750 multi-family units so that was not part of the zoning approval in this location. So that would need a zoning amendment as well of some sort, or rezoning. And staff was recommending that the remaining 50 townhomes, that that be located within the already existing limits of the Urban Development Area here. But basically the big change is expanding it to the south. To add the single-family detached homes there, it kind of fits in with the established dwelling unit types to the west and to the south. And also, we'll try to address the issues of public facilities. No additional commercial development is recommended in this location and no additional public facilities are recommended with this change. Moving over now to Brooke Station...

Mr. Fields: Excuse me,... is there still a mixed use component to that though, the Leeland Station UDA?

Mr. Zuraf: Yeah, I mean, what you will have in end result is you will still have the 750 multi-family units, 50 townhomes and 200 single-family.

Mr. Fields: But there's no commercial of any type?

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Mr. Zuraf: Yes, that still remains, there's just no change, no additional.

Mr. Fields: The same square footage as the original recommendation.

Mr. Zuraf: Yes.

Mr. Fields: Thank you. I assume is that true in all of these then? Does that carry forward to all of the other UDAs?

Mr. Zuraf: Well, this one there is a reduction recommended. But, other than that, no other ones are recommending reductions.

Mr. Fields: Okay.

Mr. Zuraf: In Brooke Station, the mix of units recommended here... first, we're recommending 870 units which is within the range that was recommended of 750 to 1,000. It kind of gets up to the little bit of the higher end of the range recommended; staff felt that to really be able to support any commercial in this area that you may need additional housing units in this location to make that actually... any commercial use in this area viable. Staff does recommend a lower residential density than originally was proposed in this area. Before, it was about half condos and half townhomes. Staff is recommending more on the lower density side of things with fewer multi-family homes; that being 120, 300 townhouses and 450 single-family homes to kind of better scale down to the surrounding rural development, the rural character in this area. Part of the issue I mentioned about the commercial, staff recommends that there be a ten acre town center and at .4 FAR that would equate to 174,000 square feet of commercial area, which I believe the last proposal had I think upwards of over a million. So I think staff felt that that may be difficult to really get to in this location and 174,000... it still may be high but it's something a little more obtainable. Also, staff does not recommend with this unit mix there would be no change in the boundaries from the original proposal. Through running the calculations, the number and mix recommended would fit within these limits. The one public facility upgrade recommended beyond what was previously recommended would be an upgrade to Brooke Fire and Rescue facility in this location.

Mr. Howard: Mike, what would the square footage on the commercial development be again at .4 FAR?

Mr. Zuraf: It was 174,240 square feet.

Ms. Kirkman: Mr. Zuraf, you said that this retains the original boundaries of the UDA that was in the draft that went before the Board in December?

Mr. Zuraf: Yes, correct.

Ms. Kirkman: The Resolution in December that received the support of the Board said that the units were to be allocated in a new UDA or an existing UDA. Can you please explain, since this has the exact same original boundaries as the UDA that was removed by the Board how it's a new UDA?

Mr. Zuraf: Well, the action of the Board in December basically removed this area from being a UDA. And so, presently, that area is... it's actually undesignated on the land use map. So right now there is

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no Urban Development Area in that location and so adding it back in would make it a new Urban Development Area.

Ms. Kirkman: But at the time of the Board's vote it was very clear that the intent was that there would not be a UDA in this area. So, could you again... this sort of sounds like...

Mr. Howard: Well, Ms. Kirkman, I think Mr. Zuraf answered the question. Mr. Harvey, do you have anything to add to that? I mean, that's the answer; the UDA does not exist today and would be a new UDA that's being proposed.

Mr. Harvey: That's correct. That's the planning staff's position. I know there's been some debate at the Board level and probably will be debate here at this level as to what that resolution actually said in relation to Brooke.

Mr. Howard: You could disagree that that's the wrong answer, but that's the answer. Thank you.

Mr. Zuraf: Okay, moving onto the next Urban Development Area, Courthouse area...

Ms. Kirkman: And I'm sorry, Mr. Zuraf, going back to Brooke. What's that currently zoned?

Mr. Zuraf: Currently, the area around here is either zoned A-2, rural residential, and I believe some A-1, agricultural zoning in this area. So, this area would need fully to be rezoned to accommodate this density.

Ms. Kirkman: Is it currently served by water or sewer?

Mr. Zuraf: No it is not.

Ms. Kirkman: Thank you.

Mr. Zuraf: There is some property that I think is zoned B-2, kind of in and around the train station. But it definitely doesn't cover the entire area.

Mr. Fields: You have to refresh my memory. Is it anticipated that eventually the... I'm still not sure how reasonably you can, since it sits as an isolated pocket substantially outside any version of the Urban Services Area that I've seen proposed, how is it proposed this eventually does have water and sewer to support this type of development? I mean, if it's going to be added in and people are going to make an argument for its validity, it seems to me like there has to be some sort of realistic plan or at least vision on how that occurs, that you get water and sewer out to spot disconnected from the rest of the USA. Is there anything that you know of currently?

Mr. Zuraf: Well, I know that a follow-up effort to this Comprehensive Plan being adopted and this follow-up effort of finalizing the Urban Development Areas is to re-evaluate the County's Water and Sewer Master Plan. And that's going to have to look at all the new growth areas and re-evaluate what the new needs will be. So I'm guessing that that would probably be a part of that effort.

Mr. Fields: Okay, and I don't mean to be argumentative but I would just like to point out I think that's a little... it doesn't really get into the reality of water and sewer. Not only just the boundary of where water and sewer is. And you guys are probably sick of me saying this, Mr. Mitchell and I, being on the

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Board, we had an opportunity to be a little more in depth on sometimes the reality of utilities. You know, you don't just run water and sewer lines wherever you want; there's real engineering topographical realities to how you build these water and sewer systems. And our Utilities Department, which is just a fabulous group of people, have been working for 50 years or more basically practically certainly 30 years on engineering a very elaborate system of pressure zones and sewer sheds and all of these things that relate to the positioning of the water treatment, the wastewater treatment plants, the topography because sewer lines have to flow with gravity, the pressure zones have to maintain water pressure over certain distances, they have to maintain treated water. Water that's not being used at all, it's going through a long transit in a pipe, becomes untreated and unpotable and has to be retreated at its emergence. I mean, these are complex technological realities that aren't just solvable with a wave of the hand or stroke of the pen. And so, among many other ideas, I'm deeply concerned that we would create an Urban Development Area that would require an extraordinary re-engineering of what has been an existing decades old Master Plan to try to accommodate this one pocket. I think it's, irrespective of what argument you might make in a perfect world on how this UDA might function or not function, the sheer physical reality and difficulty of extending water and sewer to this seems to draw into question its validity. So I just wanted to put that out there.

Mr. Hirons: Mr. Chairman, can I ask that we allow staff to go through all these before we start nitpicking each and every one of these?

Mr. Fields: Well, it's a big issue with me for this.

Mr. Hirons: It is but we're going to get stuck on one all night and then we're not going to hear the summation of all of them.

Mr. Howard: Duly noted. It's Mr. Fields' opinion and it's noted.

Mr. Fields: We're just trying to make a choice on what we want to do and so that factors into this and isn't in the summary.

Mr. Hirons: Let's hear all the choices first please.

Ms. Kirkman: Mr. Chair, I actually have an additional question for staff regarding the Brooke proposal.

Mr. Howard: Sure.

Ms. Kirkman: There have been a number articles in the newspaper recently about how VRE is at over-capacity and that literally you have the CEO stating that they're scrambling to find seats for people. What discussions did staff have with VRE about their ability to handle commuters from an additional 870 units?

Mr. Harvey: Ms. Kirkman, staff has not had any discussion with VRE regarding this UDA or the other UDAs in the County.

Ms. Kirkman: So, there's no assessment of VRE's capacity to handle any additional traffic from these UDAs?

Mr. Harvey: No ma'am, we don't have an assessment.

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Ms. Kirkman: Thank you.

Mr. Howard: Go ahead Mr. Zuraf.

Mr. Zuraf: Okay, looking at the Courthouse Urban Development Area, the balance of the 1,600 units represents 730 additional units in this location; that would be approximately 46% of the total that was recommended to be allocated between Courthouse and Brooke. The previous original unit types recommended in this area was 656 multi-family units. The recommendation here would be to kind of go down and transition down to a lower residential density with 150 townhomes and 580 single-family units. And to do that, make that happen, look at expanding the Urban Development Area limits in this location and staff would recommend the expansion to the south and to the east of the current limits. The current limits in this area were basically along Stafford Hospital Boulevard and so the recommended expansion area would be to the south and actually match up with the redevelopment area boundaries beyond that point. Staff kind of recommended heading in this direction due to the proximity to the middle school and high school, and you do have an elementary school in this location. And also feeling that, the current boundaries really wouldn't be conducive to supporting and being able to accommodate single-family detached housing as one of the smaller Urban Development Areas. Now, in dealing with the issue of what the zoning is the area in this location I'm highlighting, of that I believe is either A-1 or A-2 zoned land so rezoning would be required in this location. A lot of the other land then further to the east in the direction of Route 1, a lot of this land actually is zoned either Urban Commercial or Office, so there would be some rezonings needed in this location to be able to support the additional residential units in this area.

Ms. Kirkman: Mr. Zuraf? What's the difference between the red and the blue lines?

Mr. Zuraf: The blue line is the redevelopment area boundary; the red line is the Urban Service Area.

Ms. Kirkman: And the purple is the proposed UDA?

Mr. Zuraf: The purple with the hatch... the purple without the hatching is the current Urban Development Area and then with the hatching is the proposed expanded limits.

Ms. Kirkman: So in Courthouse there's actually a fair amount of the existing RDA that even with this addition is still not an Urban Development Area?

Mr. Zuraf: Correct.

Ms. Kirkman: Thank you.

Mr. Harvey: Also, Mr. Chairman, based on the citizen input we received at the two work sessions, there was a number of recommendations in the placement of the dots on the map that the Courthouse area should be increased and expanded further to the south so this picks up some of that sentiment from the public meeting.

Mr. Howard: Thank you. Mr. Zuraf, was there any discussion with VDOT on adding a park and ride lot?

Mr. Zuraf: No but one of our suggestions was as far as the additional public facilities was the possibility of suggesting a 400 space park and ride lot in this area.

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Mr. Howard: Do you know what the current Level of Service is on Courthouse Road to get to 95? That little stretch between Route 1 and 95?

Mr. Zuraf: No, no I do not.

Mr. Howard: So, there's the likelihood, just as there's the likelihood with the VRE, that we could over capacitate or create a larger capacity than could currently be handled, right, with this UDA? And that's probably the same in every UDA because early on, when we went through all that planning, we did have some discussion with VRE early on when we talked about the Stafford Station and we were told there's the potential of a third rail to come down through that side of Virginia, just as well as we're being told there's hot lanes and other improvements coming to I-95 and perhaps even the Courthouse interchange. Is that correct?

Mr. Zuraf: Right. And some of the scenarios that have been put out there for the reconstruction of the Courthouse interchange show that right over top of the current park and ride lot at the interchange. So there may be a need to relocate that as well.

Mr. Howard: So, it's safe to say that was some of the thinking of staff that the likelihood of the Courthouse interchange eventually getting done is, you know, should happen at some point in our life.

Mr. Zuraf: Yeah.

Mr. Howard: And then also the expansion of Courthouse... I know there's plans on the books for that and also the continuation of Jason Mooney Drive as a semi-circle around that corridor. Is that right?

Mr. Zuraf: Yeah, and this area also that proposed expansion, there was the proffered roadway that went through to the South Campus site, so that's a potential kind of main roadway to link through this area.

Ms. Kirkman: Mr. Chair, I have a related question and we may be talking about the same thing. But I just want to confirm, although... I actually think, if I remember correctly, the current Level of Service at peak traffic hours for Courthouse and Route 1 is I think a Level of Service F. But staff would need to confirm that. But I believe that relief from that is being sought through the... there's a connector road that's going to go both south and north of Courthouse Road that's in the Transportation Plan that was approved by the Board in the December...

Mr. Howard: The south portion of that is definitely in the Plan and that's the Jason Mooney connection by the fire station around to where the hospital is.

Ms. Kirkman: Didn't it also include a north connector? I'm pretty sure it did.

Mr. Howard: I'm not sure.

Mr. Zuraf: I believe yes; around the northeast (inaudible).

Ms. Kirkman: Right, and I think this also came out in discussions regarding the rezoning the Planning Commission heard I think in the last year or so. And also in regards to the... there's some VDOT improvement project where this also came up that it was anticipated that there was going to be a lot of traffic diverted from the intersection of Route 1 and Courthouse Road by those connector roads.

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Mr. Zuraf: I'm not certain of the improvement project that you referenced.

Ms. Kirkman: Yeah, it was because there was some right-of-way issues and when I inquired about that I was told it was not an issue because they were anticipating that traffic would not be going through that intersection and, instead, they would be using the northern and southern connectors.

Mr. Howard: I know the southern connector was partially funded and I think there was still some land to be acquired, but the northern one I think was more of a wish from my recollection. But I don't recall the details.

Ms. Kirkman: I think it's on the Transportation Plan.

Mr. Howard: It is definitely.

Mr. Zuraf: And that southern connector, the Jason Mooney Drive, how that ties in with the realignment of the Courthouse interchange, whenever that happens, that that's kind of up in the air as well. So there are a lot of unknowns but, yeah, Jason Mooney Drive is on the Transportation Plan to provide some relief. If we can go back to the computer please? And, I guess, also to point out with that 400 space park and ride lot, what we did do is try to take some of those public facilities that were recommended in the Stafford Station Urban Development Area and kind of reallocate those since those units were being sent to other parts of the County. And so that 400 parking spaces is a portion of that thousand space park and ride lot that was recommended in that area. Now, moving over to George Washington Village, this one originally had 3,250 dwelling units. Staff here is recommending 930 additional units and what's being recommended is that to actually take advantage of an already approved project, Embrey Mill to the north of Courthouse Road; that's always been planned kind of a traditional town type of development located on the north side of Courthouse in the area that's shaded in. The actual limits of the project go well beyond to the north but when you get further to the north, the density, staff believes, kind of drops down a bit and wouldn't meet those density requirements. This area highlighted represents the commercial town center area of that project and then immediately to the north is area where there are more townhomes and then you do get into some single-family homes in this location. Those units staff estimated can assume up to 730 of those 930 units, so taking advantage of already approved units in this case. Also part of that Embrey Mill project included proffered public facilities which included... and those public facilities generally are in this area to the west of what's known as the extension of Mine Road. In this area the proffered improvements include a middle school site, a park and fire station. So those facilities would be added into this Urban Development Area. The balance of that additional 200 units, staff is recommending that the Urban Development Area be kind of extended back up to Courthouse Road. If you recall that there was about a 1,000 strip of land that was suburban and then the Urban Development Area started, so staff's recommending just to fill in that area. And the additional land would be able to take on the extra 200 units in this area. The town center area itself in Embrey Mill covers 80 acres, also is planned for 1.1 million square feet of commercial development in this location. Other public facility additions being recommended is another addition of 400 spaces to the already planned park and ride lot in this UDA and then the other facilities I've already mentioned within Embrey Mill.

Mr. Fields: The zoning there?

Mr. Zuraf: Oh. The balance of this entire Urban Development Area is A-2, Rural Residential, or A-1, Agricultural. There is in the lower portion of this Urban Development Area there is some commercial and industrially zoned properties that may be okay to proceed with development, especially in this

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Urban Development Area there are several million square feet of commercial recommended. But the areas for any more intense residential development to occur south of Courthouse Road, rezonings would be required. To the north of Courthouse Road, the zoning is already in place within Embrey Mill for that to proceed. Now, heading a little bit south to Centreport, this also recommended 3,250 units originally and here staff is recommending the addition of 520 units, those being single-family. As far as location, to be able to do that staff estimated that you'd need an additional 130 acres within the Urban Development Area and saw limited ability to kind of proceed or extend the Urban Development Area anywhere to the west. Previously, the Urban Development Area did extend east to 95 and that was adjusted to include a business and industry quarter mile strip along 95. Staff is recommending that portions of this property, of this area, this land use be converted back over to Urban Development Area. And if you kind of combine these additions and this narrow strip, that does get up above 130 acres to accommodate the additional units in this location. With the additional public facilities, staff would recommend the additional 400 spaces to the park and ride lot, an additional fire and rescue facility, an additional elementary school and a recreation facility with indoor amenities. This was previously recommended in Stafford Station, so this is recommended to be relocated in this area. Staff would recommend that it be at or near the Mussleman-Jones site further to the southern portion of this Urban Development Area getting it closer to England Run and the Southern Gateway Urban Development Area to serve the future population in the southern part of the County. There could be the potential for some additional commercial development. Staff did not quantify that at this point, so there could be maybe some potential increase to the town center that's recommended in this location. The last Urban Development Area seeing a change is the Southern Gateway.

Mr. Fields: I'm sorry, the zoning at Centreport?

Mr. Zurf: Oh, sorry. Thanks for keeping me in line.

Mr. Fields: Thank you for being so accommodating.

Mr. Zurf: The zoning in this area is a mix. To the northern part of this area you have agricultural, some of the land is zoned agricultural. There are some areas within this area that are light industrial M-1 that were part of an old rezoning, a larger rezoning around the airport called the Centreport Rezoning. M-1 is approximately in this location. There is some R-2 or R-3 zoning that is generally located in this intersection of the Centreport Parkway and where this road is planned to extend to what's known as the Berea Parkway, or has been known in the past as Berea Parkway. So there's some R-2/R-3 zoning in this location. And as you go further to the south of Centreport Parkway this land is a mix of A-1 and A-2 zoning, so rezonings would be required in this location. You do have, in this area, there was a more recent rezoning to urban commercial is the Centreport Gateway rezoning. Looking at Southern Gateway, this area originally recommended 1,876 dwelling units. These were recommended to be located to the west of 95 along Route 17. The recommendation here was to add 700 multi-family units to this Urban Development Area and the specific discussion among the Committee of 4,000 members and the Board of Supervisors was a recommendation that the 700 units be located over the Rappahannock Landing project which is in this location. That's an R-2 zoned property that's vested for 692 units. And so the dilemma that staff had with this was okay, you had to basically connect this area over to the existing Southern Gateway. One of the other discussion points was there was the desire not to extend that Urban Development Area to the north of Warrenton Road/Route 17, so staff basically followed Old Forge Drive and proceeded that, extended that Urban Development Area to the west across 95. So, that does pick up some properties within the Riverside Business Center and then some other properties that front on Warrenton Road. Additional public facilities here include adding 200 spaces to the park and ride lot that's in existence out on 17.

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Mr. Fields: Mr. Chairman?

Mr. Howard: Yes.

Mr. Fields: Mr. Zuraf, can you elaborate at all on why there was an avoidance of the north of 17? When you look at that, there certainly seems to be... you have a 95 interchange and a major highway in 17 and I'm not sure why you would not want to utilize all of that surrounding that.

Mr. Zuraf: I can't elaborate on why that was.

Mr. Howard: Are you referring to the east side of 95...?

Mr. Fields: Yeah, the east side of 95... within the RDA, north of 17, east of 95, within the RDA boundary.

Mr. Howard: Right.

Mr. Fields: I'm not at all sure why that would not be... you wouldn't that as part of an expanded Southern Gateway.

Ms. Kirkman: Mr. Chair, I have the same question regarding north of 17 on the western side of 95. There's a big gray area which seems to be excluded from the UDA that seems to geographically ought to be included in the UDA. And I would like to...

Mr. Fields: Same exact intuitive process.

Mr. Howard: Isn't that Carter's Crossing?

Mr. Zuraf: It is. And the reasoning there it's basically the newly developed Target and Honda dealership and developing area there.

Ms. Kirkman: But we're talking about development over the next 20 years and presumably it would make sense that eventually it would be infill redevelopment to include mixed use. Did staff have a rationale other than it's already developed as commercial?

Mr. Zuraf: The rationale was that it was newly developed, so the likelihood of that redeveloping over the next 20 years may be more farfetched than some of the older development along 17. That was the rationale.

Mr. Harvey: Also, Ms. Kirkman and Mr. Chairman, the northeast quadrant of that interchange, there was discussion at the Board level about whether... how the dwelling units from the Stafford Station site should be allocated and there was some discussion about maybe some of them on the south and some of them on the north side of Route 17. Eventually the Board felt that it was important to not have, for some reasons, not have the dwelling units on the north side of Route 17 in that area, but they should be allocated off to Centreport and other UDAs in the County. Their main focus was trying to accommodate this existing development that's been approved that would meet the UDA requirement. That was the main focus of the discussion to my recollection.

Mr. Howard: Okay, thank you.

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Mr. Zuraf: Back to the computer please. This was the last Urban Development Area that was requested to be changed. Next, we get into the issues of, in the Widewater area, resulting from the December approval or adoption of the Comp Plan amendments. When that was done and when Stafford Station was removed from being an Urban Development Area there was no direction given as to the Urban Service Area. So, as it stands right now, that area is within the Urban Services Area and the actual area where Stafford Station is, that area is undesignated right now because it was removed but there was nothing specified as to what it would become in place of that. And staff's thoughts on that is if it's not going to be an Urban Development Area, the option there would be just to go to rural and agricultural which is the land use that you have around that area.

Mr. Howard: What was the land use designation prior to the Comp Plan being adopted?

Mr. Zuraf: It was agricultural.

Mr. Howard: So, are you suggesting...

Mr. Zuraf: We just revert back to basically to what it was, similar to what it was, but now it has a different terminology.

Mr. Howard: Right, because we changed the term.

Ms. Kirkman: I have a question. I believe there was some litigation regarding the Urban Services Area out there and I want to know what the County's position is about how much of the acreage that's currently designated in the UDA because of the preliminary by-right subdivision plans have been filed, how many of those... how much of that acreage is already vested in water and sewer?

Mr. Zuraf: You're referring to countywide, all the Urban Development...?

Ms. Kirkman: No, I'm talking about specifically Widewater and the Garrett projects.

Mr. Harvey: Mr. Chairman and Ms. Kirkman, we can do the research on how many acres and how many lots are approved for utilities out there. I know that there's some projects that have both water and sewer; some may have just water, others have well and septic. So, it's somewhat of a mixed bag but we'll check that out and get back to you.

Ms. Kirkman: And so, from the County's perspective, irrespective of where the Urban Services Area is drawn on Widewater, those properties are entitled to water or sewer or both depending on what was approved in the preliminary plan.

Mr. Harvey: That's my understanding is that they had vested rights. They could pursue developing their projects with those utilities. It would be the applicant's responsibility to ensure that they could get the utilities to their properties to service them.

Ms. Kirkman: So, what does it mean then to change the Urban Services Area?

Mr. Harvey: Well, changing the Urban Services Area, the County would not necessarily have in its Master Plan new public water and sewer facilities for that area.

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Ms. Kirkman: But, if the properties are vested, what does that then mean about their ability to do water and sewer out there?

Mr. Harvey: It's my understanding in reading the state code that if someone has an approved preliminary plan that's been accepted and approved by the County and it shows water and sewer, then those are considered to be features shown in our Comprehensive Plan. But that would be for a limit to those specific projects. Typically water and sewer is going to require lines to be extended beyond the boundary of the projects so that's sort of a nebulous question mark as to how that's going to be accomplished. If it's not in the Urban Service Area, the County would have no plans specifically to do that; it would be the developer's responsibility to ensure that those facilities are met in order for water and sewer to work for their project. It likely would require future Comp Plan amendments to try to grapple with that issue.

Ms. Kirkman: Except for I would like staff to look into this. I believe Garrett has enough contiguous properties that are vested in water and sewer that the lines would not have to go through areas that are not vested. But I would like staff to look into that and confirm whether or not that's the case.

Mr. Howard: So this is just specifically against this one developer or you're asking in general...?

Ms. Kirkman: Well, he is a property owner of most of that property out there and he's the one that has gotten the approved preliminary subdivision plans. And I think it's important in understanding this to understand just how meaningful, or not, it is to change the Urban Services Area in Widewater.

Mr. Howard: Well, but is your question specifically about this one developer or are you concerned about if we contract the Urban Services Area...?

Ms. Kirkman: It's specifically regarding the contiguous nature of the vested water and sewer lines out to Widewater.

Mr. Howard: As it relates to contracting the Urban Services Area.

Ms. Kirkman: Yes.

Mr. Howard: Okay.

Mr. Fields: Mr. Chairman? We've been struggling with this. Out in the George Washington District on the southeastern boundary of the USA out there, one of the reasons I opposed the existing line, even though there is some vested for water, not for sewer, some vested development out that way, maybe for sewers... Well, what was explained to me is the difference between vesting outside the USA is that you may be vested for it but you're then limited to a very much scaled down capacity set of lines, sewer and water lines, to serve exactly what you're vested for, versus in the Urban Services Area where the County Master Plan will eventually establish large capacity trunk lines and sewer interceptors that would allow for a great deal or more of (inaudible) to be development. So, in other words, if some of this... and that's what we would want to see as a result of this... if some of this property is vested, they may be able to get just enough capacity out there to serve exactly the units they are vested but not be allowed because it's outside the USA to exactly substantially expand the overall system there.

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Mr. Howard: And I think that was part of Ms. Kirkman's question. In addition to who... I thought she was also asking who's on the hook for that, which is a good question. But I think we should know that throughout the County, not just for this one particular developer. Go ahead Mr. Zuraf. Computer please?

Mr. Zuraf: Going along then on the issues with the Urban Services Area and the land use, you then also have the corresponding issues of the VRE station and Widewater Parkway, and then this other suburban area that was identified heading out to the Urban Development Area.

Mr. Howard: Which we would want... what staff is recommending is that also it should really come out of the Comprehensive Plan because that UDA does not exist.

Mr. Zuraf: Right, yeah. And the whole idea of that basis for adding in the suburban land use in that location was for areas leading to the Urban Development Area so now you don't have that Urban Development Area to go to.

Mr. Howard: Okay.

Mr. Zuraf: What we do show in the image that you see on the screen, the current Urban Service Area is the red line. The former Urban Services Area is the black line superimposed over top. The Board direction I believe was to consider going back to the former Urban Services Area limit. Staff would point out that you do have two public properties that you may want to consider. If you go back to this line, you do have the Widewater Elementary School in this location that would be outside, and you do have Patowomeck Park which would be outside of that Urban Services Area... if you go back to the line that's in black.

Mr. Howard: And both obviously have water and sewer running to them. Well, I know there's public water running into Patowomeck Park; I don't think it's on a septic. There are public facilities there.

Mr. Harvey: Yes, it's my understanding the park has public water at this point in time but not sewer.

Mr. Howard: So it is on a septic?

Mr. Harvey: That's my understanding. I can verify that.

Mr. Howard: Well, you might be right. I just didn't look for it. And the school... is the school on a septic system as well?

Mr. Harvey: No sir, it's on public water and sewer. There's a pump station adjacent to the school that serves that nearby area.

Mr. Howard: Okay.

Ms. Kirkman: So, again, changing the Urban Service Area to include or exclude really has no material effect on how it actually operates because it's already on public water and sewer.

Mr. Harvey: Correct. Or, in the case of the park, it may be desirable to have public sewer in that location because you could expand your facilities and the usage of the park in the future.

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Ms. Kirkman: And then does that allow adjacent properties to hook up? Don't we have some provision in our Utilities Ordinance that allows properties within a certain distance and at a certain cost to hook up without getting a compliance review?

Mr. Harvey: The adjacent properties, if they meet the distance and cost threshold when they develop, they could potentially connect. If they were doing something more than a lateral for an individual home, if they're building a line that serves two or more properties that would be classified as a public line and it would have to come back through the Planning Commission for review, whether it's consistent with the Comprehensive Plan. Sometimes that's referred to as a 2232 Review.

Mr. Howard: Thank you.

Mr. Zuraf: Okay, going back to the computer please. Those are all the issues relating to the Land Use Plan in the Widewater area and that does end the, I guess, review or summary of the issues before you.

Ms. Kirkman: Excuse me, before you go on to the next steps, I actually had an additional question regarding Brooke.

Mr. Zuraf: Okay.

Ms. Kirkman: One of the unique characteristics of that UDA is that it's actually... if we could go back to the computer screen of the Brooke UDA... it's fairly geographically constrained. If you go east you just hit water. And so really you can only go west, and the schools that serve that area are Stafford Elementary, Stafford Middle School and Brooke High School. You basically cannot leave Brooke without getting to those schools. So that's clearly where the school children from this UDA would go based on Fuller's Student Generation figures. That UDA would generate over 500 new additional school children. Did the staff contact the School Board to find out about the capacity of those three schools to absorb more than 500 students?

Mr. Zuraf: No we did not.

Ms. Kirkman: Thank you.

7:30 P.M.

PUBLIC PRESENTATIONS

Mr. Howard: Okay, we're going to take a break in the action. And, on the agenda, according to our by-laws, on the agenda at seven-thirty we open up the meeting for public presentations which we will do. There are no public hearings scheduled for this evening so we will call time out and now open up the Planning Commission meeting for public presentations. Anyone wishing to address the Planning Commission may do so by stepping forward to the podium and you have three minutes. When the green light goes on you have three minutes to address the Planning Commission on any topic you wish tonight since there's no public hearings. When the yellow light flashes that means you have about a minute left to conclude your comments. And when the red light flashes we ask you to conclude your comments to allow the next speaker to address the Planning Commission. We will not address your comments directly but certainly, if there are things brought to our attention where we feel we can get

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some answers in general nature, we will try to do that and answer that this evening. So, anyone wishing to address the Planning Commission may do so now by stepping up to the podium. Thank you. Seeing no one advancing towards the podium, and there are some people in the audience, trust me... you can't see it on the camera but there are... we'll now close the public presentations and bring it back to the Planning Commission and turn it back over to staff. Thank you. Mr. Zuraf?

PUBLIC HEARINGS

None

NEW BUSINESS

1. Discussion of UDAs and Allocation of Future Dwelling Units in the Comprehensive Plan

Mr. Zuraf: Okay, if you'll go back to the computer please. And you did receive tonight a hand-out that you also received at the last meeting on the possible schedule with these amendments; the deadlines established in the adoption of the Comprehensive Plan and setting out how the official 4,000 units would be allocated, establish a deadline that the Planning Commission should have a hearing and provide the recommendations on or before April 1st, and then that the Board would conduct a public hearing on or before June 21st. So, where that kind of leaves us is that we have this special meeting and...

Ms. Kirkman: Excuse me. In terms of the deadline, and our Chair has left the room so Mr. Rhodes, are you the Vice-Chair?

Mr. Rhodes: Yes.

Ms. Kirkman: I'm trying to figure out who I address with this. My concern is this April 1st deadline is being presented as a must do and, in fact, as I pointed out at our last meeting, the section of the state code regarding Comprehensive Plan amendments states that "the Planning Commission shall have at least sixty days" which puts us at around April 9th. And, in addition, the Board's December Resolution was contingent upon the recommendations being presented to the Planning Commission on or before February 15th and we did not receive these until after February 15th. So I do believe we actually have a little more leeway than is being presented here.

Mr. Howard: So, you're asking a question of the attorneys or of staff at this point?

Ms. Kirkman: I was stating an observation.

Mr. Howard: Okay. But are you asking the question is there more leeway than what has been...?

Ms. Kirkman: Sure.

Mr. Howard: Okay. So, I should point out that we do have Mr. Pat Taves with us this evening also, and he's been with us the entire time that the County has been working through the Comprehensive Plan. Or, I shouldn't say the entire time, but at least seven or eight months; perhaps longer, but at least seven or eight months while we've been working through and navigating through the Comprehensive Plan. So, we do have Mr. Smith with us this evening who is our normal attorney; and we also have

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Mr. Taves with us to advise us as we proceed. So I would ask Mr. Smith to address Ms. Kirkman's question, do we have additional leeway in that timeframe?

Mr. Smith: Mr. Chairman, Ms. Kirkman, Ms. Kirkman's reading of Virginia Code Section 15.2-2229 is correct. The state code does provide for 60 days.

Mr. Howard: Thank you. And we have... we're sort of obligated for the 4,000 dwelling units based on the Virginia Assembly's requirement that's been imposed on us as a county whereas Stafford County, in terms of making sure the UDAs have a certain, or we plan for a certain dwelling unit capacity... is that correct Mr. Smith? So we have until July, I think it's... I forget the date but it's sometime in July of 2011.

Mr. Smith: Yes Mr. Chairman, the code sets out a deadline by which the County is required to comply with the UDA legislation. And the Commission certainly may hold its public hearing and provide its recommendations earlier than the 60 days if it so desires.

Mr. Howard: Right; thank you.

Mr. Fields: Mr. Chairman, wasn't there a little bit of an extension though till September because of the duration of the contract with VDOT? Wasn't there some sort of an extension that the requirement from the state wasn't absolutely the drop dead deadline, wasn't really until the contract with the VDOT consultant had run its course?

Mr. Howard: I'll let staff answer that.

Mr. Fields: Am I making that up?

Mr. Zuraf: Mr. Chairman, the extension was associated with the grant, the Urban Development Area grant, but that was associated with more of the implementation measures associated with the grant, the development of the more detailed area plan and that process, and the creation of the ordinances. It was not relating to the actual adoption of the Urban Development Areas into the Comp Plan.

Mr. Fields: Okay. So it was actually referring to a slightly different aspect of it.

Mr. Zuraf: Yes. More of the follow-up steps.

Mr. Howard: Right; thank you. Okay, so did you conclude your comments Mr. Zuraf, because I know there was a lot more in the package. You have information in here with specific wording on the particular UDAs; were those changes that you've noted where they made in the draft we have here...?

Mr. Zuraf: No, what you have in attachment 3 was just the original language just for reference. And so, I guess at this point, if the Commission concurs with the direction that staff is recommending, we can go ahead and start to incorporate these changes into the language and provide you with amendments for us to proceed with to hearing but also if there are specific issues and things that you want amended then now is the time to I guess let us know.

Ms. Kirkman: Mr. Chair?

Mr. Howard: Yes Ms. Kirkman.

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Ms. Kirkman: So, just to clarify, there was not any language and there was not any map amendments that were included in the Board's Resolution that was sent to the Planning Commission.

Mr. Zuraf: Not specific language that would drop right into the Comprehensive Plan.

Ms. Kirkman: So there were no text amendments, just a direction.

Mr. Zuraf: Right. A more generalized direction for us to fine tune and write up.

Ms. Kirkman: Thank you.

Mr. Howard: Okay, so we'll bring it back to the Planning Commission. Are there any other questions of staff at this point? Mike, you did a great job. I know you had plenty of help, I would hope anyway, Mrs. Baker and others. But it was a very short period of time that we asked you to turn that around and I want to thank you for doing that; it was very helpful this evening. Are there questions? Mr. Hirons?

Mr. Hirons: Yes, Mr. Chairman. Back to the Leeland Town Center plan; the area you have, the area that's actually was cleared by the previous developer for homes, what is the total number of single-family homes already planned there? I thought it was more than 200.

Mr. Zuraf: That number actually... it's more than 200 I think in the entire area east of Leeland Road, but this addition is that lower portion. So it's probably about half of that, maybe even less.

Mr. Hirons: Okay.

Mr. Zuraf: So in total, including the previously designated portion of the Urban Development Area and then this addition, that likely is around 200 or over 200, but this is the lower part.

Mr. Hirons: Okay.

Mr. Howard: Why don't we do this? Let's go back, and I mean I'm up for suggestions, but if we went back and then we heard from each Commissioner on their comments on a particular UDA. I know Mr. Fields brought up a good point, so did Ms. Kirkman. On the Southern Gateway why not include the Target that's already there because redevelopment... it's a 20 year plan so I'm sure redevelopment could and will occur, and should, on that corner of 17 and 95.

Ms. Kirkman: Mr. Chair, I can speed up the process. I don't have any additional comments at this time.

Mr. Howard: Thank you. Okay, so we'll just go... we can either go by Commissioner and I'll do the will of the Planning Commission or do you want to go through the UDAs and each person talk about what concerns, if any, that they have. By UDA? Okay.

Mr. Harvey: Mr. Chairman, staff is prepared to redraw the boundaries of the UDAs if the Commission so desires. It may take a few minutes lag time for the file to rebuild but we could display it on the map after the corrections have been made.

Mr. Howard: Good, thank you. Alright, so on attachment number 2, which is Leeland Station, 2a I guess is Leeland Station, we'll start with Mr. Fields. Were there any comments, concerns or...?

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Mr. Fields: Well, no... I mean, the concerns I have... my position is clear. I don't think on any of these except the Courthouse and Southern Gateway, I don't think they should exist. So I don't really have any constructive criticism.

Mr. Howard: Okay, thank you. I appreciate that. Mrs. Hazard?

Mrs. Hazard: I guess my only comment on Leeland, and this may be more of a thinking question, whether we do need to add a school in that area. I was trying to do my back of the envelope of the student generation based on just the Fuller Study and I came up with like 550 approximately. Just something to consider. I really defer more to Mr. Hirons on that but it's just something to consider when we're looking at the facilities.

Mr. Howard: Okay. Mr. Rhodes?

Mr. Rhodes: Nothing.

Mr. Howard: Okay. Mr. Mitchell?

Mr. Mitchell: None sir.

Mr. Howard: Ms. Kirkman, you yielded already?

Ms. Kirkman: Well, I will concur with what Mr. Fields said, that outside of the redevelopment areas that have already been studied and had a genuine community input process, I don't think these UDAs should exist. So I really won't be commenting further.

Mr. Howard: Thank you. Mr. Hirons?

Mr. Hirons: I don't have any more comments on this one.

Mr. Howard: Okay. On the Brooke Station, attachment 2b? Mrs. Hazard?

Mrs. Hazard: Again, I guess I was just trying to check the school figures. I just would make that as a general comment to make sure that we are covered there under the Fuller Study or whatever calculation we're using.

Mr. Howard: Right. Mr. Zuraf, that...

Mrs. Hazard: I believe that's been done but I just... after being at a contentious meeting last night I want to make sure we're right.

Mr. Howard: ... the number of facilities, in particular schools in this case, with the recommended changes that you've proposed... or staff has proposed... would we end up with the same number of schools being proposed in the Comprehensive Plan, new schools?

Mr. Zuraf: There's no change to the overall number of units recommended, so I would say based on that, no. But units were shifted around so it's hard to say certain without kind of looking at everything in detail.

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Mr. Howard: Well, you mentioned specifically in one of the UDAs where we moved a school site out of the Stafford Station to a different UDA. So the question, I guess maybe I didn't ask it right, do we have the same number of facilities planned that we would have had with the original UDAs?

Mr. Zuraf: Yes, yes. That school is moved down to Centreport.

Mr. Howard: It's not necessarily in the same geography.

Mr. Zuraf: Right.

Mr. Howard: Okay.

Ms. Kirkman: And Mr. Chair, as I pointed out earlier, the issue there is based on where the Brooke UDA is located, the only schools that are... unless you are going to have students go past Stafford Elementary, Stafford Middle and Brooke Point High School... there are no other schools in the area. And so the issue there is not the total number of schools in the Comprehensive Plan but the capacity of those particular schools to absorb more than 500 additional new students.

Mr. Howard: Right. Or would you have to build a new school over there somewhere on Route 1.

Mr. Rhodes: Or they'd reset the boundaries.

Mr. Howard: Okay, any comments...

Mr. Zuraf: In the public facilities chapter 2, there was an overall recommendation for the number of schools needed across the county so that exceeded what was recommended within the Urban Development Areas. So, there's still other schools that could be built that may not necessarily be within the Urban Development Areas but could help to relieve any issues of overcrowding that might occur.

Mr. Howard: Right. Okay, are there any other comments on Brooke?

Mr. Rhodes: Mr. Chairman? Just a generalized comment that of the seven, this one being the furthest and most isolated from all the others and the main traffic way other than rail, if there were one I were to try and spread out and absorb into others, it would have been this one. That's all Mr. Chairman, thank you.

Mr. Howard: Thank you. Courthouse, attachment 2c? At this point, anybody that wants to have the mic. Okay. On the George Washington Village which was 2d?

Mrs. Hazard: Mr. Chairman, could I just have clarification? I'm sorry, Mr. Zuraf... the extension up into Embrey Mill, that is solely within the Embrey Mill boundaries... I'm sorry, I'm trying to watch the roads there of exactly how far that I guess northernmost boundary goes that is solely within the currently zoned Embrey Mill project. Is that correct?

Mr. Zuraf: Correct. The only area where you might pick up some other smaller out parcels would be along Courthouse Road, the kind of western end of that. There's privately owned land between Embrey Mill and Courthouse Road, in that area.

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Mr. Howard: You also have Austin Ridge, right, as an entire subdivision.

Mr. Zuraf: That's to the east of this site.

Mr. Howard: That's to the east of this site?

Mr. Zuraf: Yes. Kind of the eastern edge of that proposed expansion is Austin Ridge Drive.

Mr. Howard: Well, Austin Ridge Drive is to the east, but... well, there's portions of Austin Ridge that doesn't look like that we have in here and they're on sewer and water. They're on quarter acre lots. That's captured?

Mr. Zuraf: We did not include Austin Ridge within this because those lots, the density in Austin Ridge is lower than the Urban Development Area four dwelling units per acre density. Those are probably more likely one and a half to two units in an acre.

Mr. Howard: They're on quarter acre lots.

Mr. Zuraf: Again, because you have open space and...

Mr. Howard: There's a lot of common area?

Mr. Zuraf: Yeah, there's a lot of common area with that type of subdivision.

Mr. Howard: Okay, any other questions on...? Centreport?

Mrs. Hazard: Yes, Mr. Chairman, I do on this one. Is there any reason on the boundary not being able to be extended to the Hulls Chapel Road? It seemed like that might be a natural break... let me get my right map here... it just appears, based on visually and driving out there that it could maybe extend as far as the Hulls Chapel Road would be my suggestion.

Mr. Zuraf: That boundary was selected because that western limit is basically the extent of the Centreport rezoning that I mentioned where you have some residentially zoned land, higher density residential zoned land in that location and some light industrial zoned land. So beyond that to the west is A-2 or A-1 zoned land. The road becomes more of a rural residential road up in that area, that's why we did not extend it to Hulls Chapel Road.

Mrs. Hazard: I would just like to ask that we see that extended to there because that seems like a much more natural break and we are looking at a long-term process that things do change. And it just seems a strange jog in the boundary.

Mr. Harvey: Mr. Chairman, we'll draw that up in draft to display on the screen.

Mr. Howard: Okay. Any other comments on the Centreport UDA? Okay. Southern Gateway? You wanted to mention Carter's Crossing?

Mr. Rhodes: Yeah, the point we talked about the little corner there.

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Mr. Howard: So there's a way to redraw that I think from 95 west. It should include Carter's Crossing. I thought that was a good comment. Mr. Harvey, can you explain the comment again on the northeastern portion of that?

Mr. Harvey: Yes, Mr. Chairman. There was discussion amongst the Board members about how many units to allocate to the expansion of Southern Gateway. There was discussion of possibly 700 units on the south side and 750 units, if I recall, on the north side of the eastern part of that interchange. However, in the end, the Board had recommended that just the units on the south side be allocated. Those units were associated with the existing approved project. So, any discussion for the northern part was disbursed with Centreport and I believe George Washington Village.

Mr. Howard: So, your belief is there was a desire at the Board not to include that?

Mr. Harvey: Correct.

Mr. Howard: Okay.

Mr. Hirons: Mr. Chairman, if I could take that a little further? I'll give you a little history behind that. I was the one in the Joint Committee who recommended it was actually 600 units to the north, I guess that little northeast corner there, in addition to the 700 of the approved area we're taking credit for. And the committee's recommendation was for the 600 to the north of Route 17. And when it went to the Board, there was Board discussion; the Supervisor who appointed me actually opposed it and kind of led the fight against it. I'm still in favor of that because my concern is the number of units we're putting in and around the airport. But if there was a will of this Commission to bring that back and bring some of those units out of the Centreport area, I'd certainly be supportive of that to recommend to the Board which probably would see this thing fate as the committee recommendation did.

Mr. Fields: Mr. Chairman?

Mr. Howard: Yes Mr. Fields.

Mr. Fields: I appreciate that, Mr. Hirons. You certainly have my support in that effort. I mean, that's an RDA area which, as Ms. Kirkman has very accurately pointed out, had had a great deal of study and public input. It's an area that has longstanding been an urbanized area and having we share that boundary, I represented the south half and you're up in the north half, if there was an area that could use a spur for redevelopment, that's it.

Mr. Howard: I concur.

Mr. Fields: I mean, it's just sad out there. It's an incredibly missed opportunity in my vote if we don't... you know, I can just ask my colleagues to think it through but I certainly agree with Mr. Hirons that the more that we could utilized Southern Gateway the better off.

Mr. Howard: Jonas, are you getting this? Mr. Fields and I are in agreement... for the record.

Mr. Hirons: It sounds like there might be adequate will of the Commission, so I'll move, if it needs to be done in a formal motion, move to pull 600 units from staff's recommendation from Centreport to add them to Southern Gateway to be designated there in that little corner, east of 95, north of 17.

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Mr. Mitchell: Second.

Mr. Howard: Okay, so a motion has been made, it's been seconded; we're in discussion.

Ms. Kirkman: Mr. Chair, could you clarify what our process is going to be regarding the Resolution sent to us by the Board? And I just want to understand how we're going to approach this.

Mr. Howard: The thought was that we would take what staff has compiled and use that as the starting point for staff to go back and make amendments to the Plan based on our comments here. I don't know if the motion was needed, in this case, because my thought was that they would come back to us at the next meeting and... the regular meeting is on March 2nd... and we would have all of those changes and amendments and we could go through them one by one and vote. And the will of the Commission would prevail obviously and then that's what would be used for the Planning Commission to send to public hearing like we're required to.

Ms. Kirkman: So, we won't be voting tonight to send something to public hearing. We'll be voting tonight to give direction to staff.

Mr. Howard: That was my thoughts.

Ms. Kirkman: Okay, I just wanted to understand where we were.

Mr. Howard: Again, I'll defer to the will of the entire Commission.

Mr. Hiron: However, what's needed in the status of the maps for advertising purposes?

Mr. Howard: Well, we have a motion so let's deal with that.

Mr. Rhodes: I just would ask the question of why 600 versus the 520 that are being added to Centreport? Is there a reason we wouldn't just pull the 520 being added (inaudible)?

Mr. Howard: Or I was going to say a range too. Do we need to get so specific? Later on in the conversation I was going to bring it up.

Mr. Hiron: I don't know... ranges got confusing in the committee process. I would prefer to avoid ranges. My picking of the number of 600 was that's what it was out of the committee recommendation and I would prefer to get as many as possible out of the airport... out from around the airport. I think we're just asking for trouble putting more and more density around... residential density around the airport. You know, 10 or 15 years from now as that area starts to develop and the airport grows, people are going to start just yelling and screaming about loud jet noises. Granted they should know they're moving in next to an airport but, hey, it's going to happen.

Mr. Howard: You should be so lucky to have a jet noise in Stafford. Okay, any other discussion on the motion?

Ms. Kirkman: I just need to understand. So, we have the existing number of units around the airport plus 250 that have been recommended by the Board...

Mr. Rhodes: Five twenty.

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Mr. Howard: Five twenty. There are an additional 520 units...

Mr. Hirons: And the other 80 were moved to I believe George Washington. My preference would be to take the full 600 of my recommendation here out of Centreport but, if we wanted to pull the 600 joint from George Washington and Centreport...

Mr. Rhodes: I'm fine with that.

Ms. Kirkman: I'm fine with it coming out of Centreport.

Mr. Fields: That's fine.

Mr. Howard: So, any other discussion on the motion? Is it clear...? Go ahead Mr. Zuraf.

Mr. Zuraf: For clarification, then would you go back to the boundaries as previously designated and not those additional areas that we mapped out? Where in Centreport, one of the suggestions was extending the boundary further to the east towards 95, and I'm guessing that would go away, right?

Mr. Howard: Well, I'm not sure because Mrs. Hazard brought that up.

Ms. Kirkman: I would suggest that my colleagues consider expanding the Urban Development Area to include the Route 17 corridor between Rappahannock Landing and the existing UDA to connect that area. And to include what we talked about, that commercial area...

Mr. Howard: Carter's Crossing?

Ms. Kirkman: Yeah.

Mr. Zuraf: That's Southern Gateway; I'm asking about Centreport.

Mr. Rhodes: Yeah, let's do Southern Gateway.

Mr. Harvey: Mr. Chairman, could we pull the computer up?

Mr. Howard: Okay. Computer please? I guess I don't know how to pull it up Jeff; I'm sorry.

Mr. Harvey: Well, give us a minute please. We reconnected a different computer.

Mr. Fields: Just for clarification, Mr. Chairman. Ms. Kirkman, you're referring to what's currently the suburban zoned area between what's Rappahannock Landing and 95, correct?

Ms. Kirkman: I need to see the map. I can do it by roads; I can't do it by land use without looking at a map.

Mr. Fields: Okay. I was just looking at the map in our hand-out.

Mr. Howard: Okay, we have a map. Let's stay on Southern Gateway. There you go.

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Mr. Harvey: So, Mr. Chairman, we've highlighted in red the area that was discussed around Carter's Crossing to be included in the UDA and ask for further clarification from the Commission.

Mr. Howard: So, I believe what Ms. Kirkman is suggesting is to the northeast portion of that where the dark blue is. I don't know the particular road she mentioned though.

Ms. Kirkman: No... staff has correct what I'm looking... the part covered by red would be added.

Mr. Howard: Okay.

Mr. Fields: Okay.

Mr. Rhodes: And we were just discussing the portion...

Mr. Howard: Mr. Hirons is suggesting to the right of that, the northeast portion of those parcels as well.

Ms. Kirkman: I'm not familiar enough with that area to be able to... I know the area west of there.

Mr. Howard: The only thing I know is there's huge storage... there's a light industrial use there today, or a portion of that is light industrial from my recollection.

Mr. Hirons: That whole corridor could use some face lifting.

Mr. Harvey: There's a number of hotels...

Mr. Fields: And, like I said, that's my part of the world as well. I totally concur that it's a prime spot for redevelopment.

Ms. Kirkman: So, take the...

Mr. Fields: Just make it congruent with the RDA line.

Ms. Kirkman: Right, right... pull the red line out to the RDA line.

Mr. Howard: Exactly right.

Mr. Fields: Well look at that; it's happening, right before our eyes.

Mr. Harvey: Mr. Chairman, staff has a process question we need to refer to the attorneys on. The Southern Gateway UDA has a specific recommendation from the Board and the question we would have is whether we would have to advertise a public hearing with both the Board's recommendation and this as a separate recommendation?

Mr. Taves: Mr. Harvey, what I'd say to that is that the Planning Commission has been requested by the Board to consider that first recommendation. And the Planning Commission has the authority to add additional items to consider and could do so at the same time as it considers the one that the Board has recommended.

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Ms. Kirkman: Mr. Chair, I have some additional questions.

Mr. Howard: Ms. Kirkman, before you do that... Mr. Taves, so I would think we would advertise both, correct?

Mr. Taves: You certainly could, yes.

Mr. Howard: Okay. This way it's transparent; everyone sees what the Board recommended and here's what the Planning Commission came back with and these are the two issues that we'll talk about at the public hearing.

Mr. Taves: And I would say that that's also an advisable procedure because it's better for the Planning Commission to have as many options available as possible when you get to your public hearing so that eventually the Board will have the option to consider at its public hearing the same items that the Planning Commission considered.

Ms. Kirkman: Except if we advertise what the Board has suggested we consider, then it would have met the process requirements and the Board can simply ignore whatever it is the Planning Commission recommends and adopt what they've sent to us to begin with. Is that correct?

Mr. Taves: Well, I don't think the Board has precluded the Commission from undertaking its responsibilities to make recommendations and consider additional amendments. The Board has laid out a number of specific amendments that it's asked for a public hearing on. But the Board has not precluded the Commission from coming up with additional items that it wishes to consider.

Ms. Kirkman: Mr. Taves, could you please point out to me the text or map amendments for those specific amendments the Board has asked the Planning Commission to consider?

Mr. Taves: I think in the Board's Resolution it's made some of those very clear.

Ms. Kirkman: I'm sorry, I just didn't see in that Resolution actual text amendments to the Comprehensive Plan.

Mr. Howard: Well, yeah, there weren't any text amendments; it was directional.

Mr. Rhodes: It was answered a couple times.

Mr. Howard: Go ahead Mr. Taves.

Mr. Taves: Well, I don't know if I would agree with that 100%. For example, the Board has said that it proposes to add 250 units to the existing Leeland Station UDA. You take the number of units already authorized in Leeland Station and add 250 and the Board has recommended changing that number by increasing it by 250 units. I don't know that you need to actually draft a sentence to say that; it's pretty clear what the Board is proposing in that regard. And several other instances, too; Centreport UDA adding 250 units, 700 units to the existing Southern Gateway, that sort of thing. Now the Board certainly has not laid out in detail every single amendment that the Commission has to consider. It's given the Commission some flexibility and I think inherently, implicitly, the Commission has that flexibility under its own powers. Is that clear enough?

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Mr. Howard: It was clear to me. And Mr. Harvey, that's a yes. So you'll include both.

Ms. Kirkman: Well, actually, you know, I reviewed the memo we got from Mr. Smith and again, what I'm looking for, you know, is some sort of case law that says that the Board can send general direction to the Planning Commission rather than specific text amendments and map amendments. Otherwise, I think when they do not send specific text amendments or specific map amendments, then it is the Planning Commission initiating the amendment, at which point it does seem that it's within the purview of the Planning Commission to determine what's in that amendment. So, I do believe we have the authority to say, well, we have considered the Board's recommendation but we choose not to advertise that because we're initiating the amendment and what we believe ought to be in the amendment is, for instance, what Mr. Hirons has proposed. And... unless, of course, perhaps you have some evidence of case law that wasn't cited in the memo.

Mr. Howard: Well, actually, Ms. Kirkman, you're entitled to your opinion and we have received a legal opinion from the attorney which is attorney/client privilege so we can't talk about it in open session on this particular case. But you can disagree that the attorney gave us the wrong advice but I'm not an attorney, I'm not going to pretend that I'm not going to follow what the attorney's directions were. But it's certainly okay to have a different opinion and I think that's what you're expressing.

Ms. Kirkman: Sure. Well, to quote Supervisor Susan Stimpson, what we've heard is the opinion of one attorney.

Mr. Howard: Well, we've heard the opinion of a few attorneys in this case. And all good qualified attorneys, by the way; reputable... reputable and very good at what they do. So, Mr. Harvey, your question of Mr. Taves was answered. I think we would want to include both just so that when it gets to the Board of Supervisors there is, you know, we're not forcing ourselves to re-advertise something that costs over \$16,000 twice to advertise.

Mr. Harvey: Yes, Mr. Chairman. So, I guess that leads the staff to the question to the Commission, if we have this alternative and it passes by the motion, would the Commission want to stick with the staff's recommendation we gave the Commission or would you...?

Mr. Howard: I think we're going to get to that.

Mr. Harvey: Okay.

Mr. Howard: So, we're still in... we haven't even voted on Mr. Hirons' motion so we're still in discussion on that motion, believe it or not. So the motion again was to remove 600 dwelling units, and in this case, the bulk of which would be single-family because that's the 520 that are noted on the Centreport and the other 80... are you suggesting all 600 would be the single-family; is that in your motion Mr. Hirons? Or would there be 80 from some other category?

Ms. Kirkman: Wouldn't we need to look at the acreage and see what it could accommodate?

Mr. Fields: I don't think you can get 600 single-family units.

Mr. Howard: Yeah, I don't think so either.

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Mr. Fields: If you're looking at Rappahannock Landing, below it, which is 700 townhomes, it's pretty clear that 600... I'm not telling Mr. Hirons what to do but... you know.

Mr. Hirons: I tend to agree. I'd actually prefer to leave single-family up there because obviously that area is not large enough to accommodate for that. And that was, in committee discussion, that was seen as kind of the town center type of UDA, multi-family use type thing.

Mr. Howard: So, how do you want to... you just want us to leave it at 600 dwelling units because that does impact... it obviously impacts a few things and not knowing the dwelling unit type.

Mr. Fields: Well, it could be 600 multi-family.

Mr. Zuraf: Mr. Chairman, there's nothing saying you can't, you know... I mentioned that staff kept the ratio and mix the same but there's nothing in any Board Resolution that says you can't go against that...

Mr. Howard: Well, we do have the fiscal analysis that we want to try and stay close to that, recognizing the potential impact to the County from a revenue perspective.

Mr. Hirons: I'll make it easy although it may require a little bit more examination of the available acreage there. I would say 300 from multi-family and 300 from townhouse, and you're left with, what, a 450 multi-family type complex and all the single-family in Centreport.

Mr. Howard: Alright, does the seconder accept that friendly amendment?

Mr. Mitchell: Yes.

Mr. Howard: Okay; Mr. Mitchell accepted. Okay. Any other conversation on this?

Mr. Fields: Mr. Chairman, again, not to tell Mr. Hirons what to do, it's also... I mean, we're adding to a larger contiguous group and there's really nothing to say that that 600, though in theory, that's in that quadrant that the mixed use development doesn't ultimately engage some of that south side area of 17 which wasn't designated. I mean, we're designating the 700 down here in the Rappahannock Landing and we've just included that now for the sake of contiguousness, but there is of course the vast area between Rappahannock Landing and 17. It's existing development but it's all, again, a lot of it's old development. There's nothing to say that the ultimate destiny of those 600 units couldn't sort of morph into something a little larger down (inaudible).

Mr. Hirons: Yeah, and I agree with that and yeah, I would adjust my motion to say the 600 east of 95 is what I'm looking for.

Mr. Fields: That's great.

Mr. Hirons: North or south of 17.

Mr. Fields: That makes good sense.

Mr. Howard: Does the seconder agree with that?

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Mr. Mitchell: Yes.

Mr. Howard: Alright, so the motion is to (a) expand the UDA to the boundaries as was shown on the map previously and then move 600 dwelling units from the Centreport UDA to the Southern Gateway UDA on the eastern portion of that UDA east of 95, correct?

Mr. Hirons: Correct.

Mr. Howard: Okay, I'll call for the vote. All those in favor signify by saying aye.

Mr. Fields: Aye.

Mrs. Hazard: Aye.

Mr. Rhodes: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Opposed nay? The motion carries 7-0. So, Mr. Harvey, to answer your question, it was my hope that we could get to what you're describing which was make the changes, and we're at the last attachment if you will right now because we're going to go to the Widewater Area Land Use Map, and then go back and get consensus from the Planning Commission on exactly what you're asking, and then ask you to come back to the next meeting with all of that sort of solidified and ready and packaged for us to make, you know, amendments or recommend amendments to the Comprehensive Plan. Is that your thinking as well?

Mr. Harvey: Yes Mr. Chairman.

Mr. Howard: And then I'll bring it up when I get to the end of it, but we may want to also figure out a way to alter the range. I know Mr. Hirons was not in agreement with that but the range of unit types or at least a number of dwelling units per UDA because that really... I think that's going to be tough to do based on the economy and other things that are going to happen over the next 15/20 years. In any case, Ms. Kirkman, go ahead.

Ms. Kirkman: Yes, Mr. Chair, since we seem to be approaching this on an amendment by amendment basis, at this time I'm making a motion to take the 870 units proposed for Brooke Station and moving 600 of those to the UDA that was originally proposed for Boswell's Corner within the redevelopment area that had been proposed up there, and the remainder of the 270 units to the Courthouse UDA to include expanded boundaries within the Courthouse Redevelopment Area.

Mr. Fields: Second.

Mr. Howard: Okay, discussion?

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Ms. Kirkman: Mr. Chair, I made that motion... I find it somewhat ironic that we find ourselves in the middle of a national debate about fiscal responsibility and government actions, and here we have our own government putting forward a proposal that is fiscally irresponsible, which is to locate development in a greenfield far away from any other development and urbanized development area and will end up costing the taxpayers millions to build the infrastructure and the operating costs to support this island of urban development amongst an agricultural area. And that's because by creating the Brooke UDA, we're having to move water and sewer out in dense residential... out into an agricultural area and this is exactly the sort of legislation that gets government into debt and leads to higher taxes. So, I really feel like this is the kind of development that belongs in the redevelopment areas that we have studied and that's why I made the proposal.

Mr. Howard: Thank you. Mr. Fields, you have the second chance for comments.

Mr. Fields: Sure. I expressed earlier, I would like to reiterate that absent a serious technical, to the extent practical that we can as citizens, but that's what democracy is; it's citizens having a voice... a fairly practical engineering analysis of all the steps involved, I think it's wildly premature to even consider that even if it's just generally as a planning exercise. And I understand that, you know, we didn't talk about it here, that Mr. Milde wants to do this all through Transfer of Development Rights, but the bottom line is this... long distance heavy rail commuting is really just rail sprawl. I know it seems like an alternative to the nightmare of 95 and to some degree it is, but if we're adding new dwelling units where none have existed before where it's only agricultural simply to accommodate the rail line with a massive infrastructure development, there's nothing about the UDA legislation that is congruent with this concept. So I think if there's any possible chance of us getting it out of there and moving these units to where they need to be, which is around jobs in the Boswell's Corner and Courthouse area, we should give it a shot.

Mr. Howard: Any other discussion? Mr. Mitchell?

Mr. Mitchell: Mr. Chairman, I would remind the Board that the Brooke Station UDA...

Mr. Howard: The Commission; remind the Commission. Sorry.

Mr. Mitchell: I apologize; old habits die hard. Mr. Chairman, I would remind the Commission that the text specifically would be clarifying that all the residential development associated with the UDA should be tied to the retiring of development rights on land bounded by the CSX rail line, Aquia Creek and Potomac Creek. I will be opposing this motion. I do not think it's a good motion Mr. Chairman.

Mr. Howard: Thank you. Any other discussion?

Mr. Rhodes: Yes, Mr. Chairman. I'm just surprised that we wouldn't take the opportunity to just focus on six, but continue with seven multiple UDAs if there was another opportunity versus again spreading another smaller UDA out there. That aspect doesn't make sense.

Mr. Howard: Thank you. Yeah, I appreciate everyone's comments and certainly everyone has an opinion. I have a strong opinion. I had a strong opinion about Stafford Station; I thought it was a great UDA and still think it has a lot of merit to it although it's not on the table. I'm not inclined to make a motion to bring it back; I think the will of the people spoke. We had the planning meetings. I think we had a lot of citizen input. We had the survey that we did. Citizens came back and basically said this is kind of what we would like, we get it, we understand what Stafford County's requirements are from

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the State Legislature and now we understand a little bit better. We're more informed and I think the sessions were conducted very well and I'm not inclined to support Ms. Kirkman's motion. I think Brooke Station would make a great UDA. I would dispute the cost with Mr. Fields any day when we sit down and really do a comprehensive overview of it. And I think the rail is a great way to get to work and, if that third rail is to come down through the VRE, I think that only enhances and makes that type of commute and travel a little bit more palatable for those who are doing it everyday today. So, I won't be supporting it. Mrs. Hazard?

Mrs. Hazard: Mr. Chairman, I would ask, in general... and I know this is our discussion time... the portion that is included about that Mr. Mitchell just mentioned about the residential development being associated with this be tied to the development rights. That assumes, of course, that we have a TDR ordinance on our books and I am rather curious how that will play out. We also have other language within the Comp Plan concerning the 7% must be made possible by a transfer of development rights if a program is adopted. If we do not adopt a plan, how does that leave us is a general question I have.

Mr. Howard: Yeah, and I think that's a fair question. My understanding is, the way that that's written... and I could be wrong, I don't know if Mr. Smith or Mr. Taves want to pull it out... but because the way that UDA is written, if those transfer of development rights don't exist, I don't believe that that UDA actually can occur.

Mr. Hirons: In speaking to Brooke itself.

Mr. Howard: Just for that one UDA, yes.

Mr. Hirons: I have an issue with that because I think the Brooke UDA is a good UDA. And if the County does not adopt a TDR then essentially Brooke never does happen.

Mr. Howard: Right; that's true.

Ms. Kirkman: Could we get confirmation from the attorneys that that is the case?

Mr. Taves: What is the question?

Mr. Howard: The question is if the County does not adopt a TDR ordinance, would the Brooke Station, as it's written in the Comprehensive Plan, occur?

Mr. Taves: I think if you have the language that is in the Board's resolution regarding the retirement of development rights, obviously it is problematical if the County does not have a TDR program in place.

Ms. Kirkman: But the question, Mr. Taves, was could the Brooke UDA be built without transfer of development rights? Does the Board... given what the language in the Comprehensive Plan, could the Board still approve a rezoning that would be in compliance with the Comprehensive Plan if there were no TDR legislation?

Mr. Taves: Well, I think it's important to recall that what we're talking about here is a Comprehensive Plan and not a binding legal document in terms of an ordinance. So, the Board could certainly approve a UDA in that area. But, what I'm saying is the viability of the language regarding the retirement of development rights is certainly in question if you don't have a TDR program in the first place.

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Ms. Kirkman: So, in other words, the Brooke UDA could be built even if there were no TDRs?

Mr. Taves: Well, it's going to depend on the language, the ultimate language of the ordinance... excuse me, of the Comprehensive Plan.

Ms. Kirkman: But don't we have that language in front of us? Based on that language that says there'll be... I mean, the statement that was made by my colleague was the Brooke UDA could not be built without transfer of development rights. And the colleague from Aquia has said that's the main reason to approve this. So, the question that was asked is, is there any way the Brooke UDA could be built without transfer of development rights?

Mr. Taves: Are we going to assume that the language in the Board's Resolution has been adopted and we're going to assume, at the same time, that there's no TDR program?

Ms. Kirkman: That's correct.

Mr. Taves: I think... as I said, the viability of the retirement of development rights is in serious question which would mean that you'd have to essentially ignore that language because it doesn't have any application in that situation.

Mr. Howard: Or you'd have to amend the Comprehensive Plan.

Ms. Kirkman: So, when you say ignore the language, in other words the Board could approve the building of the Brooke UDA because the TDR legislation doesn't exist.

Mr. Taves: Well, I keep going back to the Comprehensive Plan is not a binding ordinance; it is a guide for development. And so the Commission and the Board, down the road, have to look at particular proposals and determine, based on the Comprehensive Plan, what development it should approve. And obviously, if we're down the road... let's say we're down the road a year and we have this no TDR program, we have the Comprehensive Plan having been approved, the Board would have to look at that and I think give very little weight, if any weight, to the retirement of development rights criteria in the Plan because it's really a non-starter. If you don't have a program, you can't retire development rights.

Ms. Kirkman: So, in other words, it could be built without the TDR.

Mr. Taves: The Board could approve it, sure.

Ms. Kirkman: Thank you.

Mr. Howard: Okay, any other questions on the motion?

Mr. Rhodes: Mr. Chairman, I would just, just to add to my comment, if I have the opportunity, just that I'm not supportive of the motion as it stands. I would be supportive if it were all being moved to the Courthouse Road UDA. Thank you Mr. Chairman.

Ms. Kirkman: Mr. Chair, if Mr. Rhodes is offering that up as a friendly amendment, I'll accept it.

Mr. Rhodes: I'm not; I made a statement.

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Mr. Howard: Okay. Alright, so I'll call for the vote.

Mrs. Hazard: Please restate the motion.

Mr. Howard: Sure.

Ms. Kirkman: The motion was to move the 870 units from the Brooke UDA, move 600 of those to Boswell's Corner and the remaining 270 to Courthouse.

Mr. Howard: Okay, I'll now call for the vote. All those in favor of Ms. Kirkman's motion signify by saying aye.

Mr. Fields: Aye.

Ms. Kirkman: Aye.

Mr. Howard: Opposed say nay.

Mrs. Hazard: Nay.

Mr. Rhodes: Nay.

Mr. Mitchell: Nay.

Mr. Hirons: Nay.

Mr. Howard: Nay.

Ms. Kirkman: Mr. Chair, I'm now making a motion to remove all 870 units from the Brooke UDA and moving them to the Courthouse UDA.

Mr. Fields: Second.

Mr. Howard: Any discussion? Seeing no one going for the mic... go ahead Mr. Mitchell.

Mr. Mitchell: Mr. Chairman, I believe it is the full intent of the Board of Supervisors... I may be wrong... I do believe it is the full intent of them to have the language in effect. I don't see hundreds of developers rushing down to Stafford County with hundreds of millions of dollars to do major residential building. I don't see it. I don't see the banks loaning the money for hundreds of millions of dollars in little ol' Stafford County. I do believe, in my heart, that the retirement of development rights ordinance will be passed down to us, through our scrutiny passed up to the Board. I do believe it will be a reality. I think it is a very sane move. I do not believe that not having it locked into place today would make a tremendous affect and make people rush down here and just suddenly, I'm going to develop in Brooke because I found a little loophole that we can sneak around. So, I cannot support changing the Brooke UDA.

Mr. Howard: Thank you.

Mr. Hirons: Mr. Chairman?

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Mr. Howard: Mr. Hirons.

Mr. Hirons: My question would be to staff possibly, possibly Ms. Kirkman might have an answer as well, moving 870 dwelling units into Courthouse, can the current boundaries absorb that much density?

Ms. Kirkman: If you look at the boundaries not of the UDA but of the redevelopment area, there's plenty of acreage.

Mr. Hirons: So are you suggesting we also extend the boundaries of the Courthouse UDA?

Ms. Kirkman: That's correct; to expand within the boundaries of the designated redevelopment area, which is much larger. The UDA is only a small proportion of the redevelopment area.

Mr. Zuraf: And for clarification on the motion, how would the mix... would it be the same mix of units?

Ms. Kirkman: I think we have sufficient acreage in the Courthouse Redevelopment Area to accommodate that same mix.

Mr. Zuraf: Yeah, I believe so.

Mr. Hirons: Mr. Chairman, I want to state that... I'm probably going to surprise some people here... I'm going to support this motion. While I do like the Brooke UDA as it is, to a certain extent... there are certain things I don't like about it... I was at all the public input sessions and there were an overwhelming amount of little dots that were placed in the Courthouse UDA. And there was a lot of discussion about it and there was a lot of public will to extend the UDA boundaries. With Brooke continuing to be controversial, I see it as a good alternative and accepting the public will and listening to the public will to expand Courthouse and make Courthouse a larger UDA. So I'm going to support the motion.

Mr. Howard: Any other comments?

Mrs. Hazard: Prior to the vote, is there any way we can have the Courthouse expanded boundaries shown on the screen? Being a visual, I always need to see it.

Mr. Howard: So I guess they are working on it. Mr. Mitchell, go ahead.

Mr. Mitchell: Mr. Chairman, I cannot support the motion. I do believe Brooke is a viable spot. Again, I don't see Brooke being developed next week. So I think there is some timeframe to put all these things into place. Again, this is a long-term plan; this is a twenty year plan. Just taking Brooke again and wiping it out, I cannot support it.

Mr. Howard: I agree with you Mr. Mitchell. I can't support the motion either. I think... you can't take public input when it's convenient, and there are a lot of people who spoke about the Brooke UDA and were in support of it that showed up at these meetings, and there's been a lot of support for the Brooke UDA in general. So I think recognizing that and recognizing that the Brooke UDA was condensed somewhat and also coupling that with the transfer of development rights which will occur because we do have a Transfer of Development Rights Committee, there is a dual committee with the

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Board of Supervisors and the Planning Commission and it's being worked on very aggressively right now. And I can assure you within this year that the TDR ordinances will be at least presented; I don't know if they will be adopted, but I know they're working furious and trying to get that right. So that will come before us and I think it's a unique way to try and develop this UDA. I think it's a great spot for the UDA. I strongly support the use of the rail. I think I have been on record numerous times saying that. And again, you can't take public input when it's convenient. The public spoke and they said the Brooke UDA was a good UDA. They wanted to see a smaller UDA and that's what came back before us.

Mr. Hirons: Mr. Chairman, if I could just clarify just that comment... my comment. Yes, there was a lot of green dots and public support demonstrated at these public hearings for Brooke as well. However, that was one of the UDAs that generated a lot of discussion that I listened into in the table. It won't change my vote, but I would agree there was public will for Brooke as well.

Mr. Howard: Okay; staff?

Mr. Mitchell: Mr. Chairman?

Mr. Howard: Before you go.

Mr. Harvey: Mr. Chairman, we do have the map available so if we could...

Mr. Howard: Sure, we can show it; we're still in discussion. That was a question.

Mr. Harvey: Computer please. Mr. Chairman, the area that was mapped out is highlighted in the side stripe on the map. This is a potential, we have not done any detailed analysis but this is a quick estimate of the area that might be needed to accommodate the additional units.

Mr. Howard: Do you have the original RDA boundary? That was the question.

Mr. Harvey: Yes Mr. Chairman, it's in blue. So it follows the parts of the RDA boundary to the south and to the east of this area.

Mr. Howard: And you're saying the purple shaded area or lined area is approximately the size needed to accommodate those additional dwelling units.

Mr. Harvey: Correct.

Ms. Kirkman: At that mix of type... that type of mix.

Mr. Howard: Yeah, at the same mix; right.

Ms. Kirkman: With the predominately single-family homes, right? And as you can see it's... there's still plenty of room in the RDA to expand.

Mr. Howard: Okay. Mr. Mitchell?

Mr. Mitchell: Mr. Chairman, looking at page 10 of 16 on the graphs, the Brooke area is the fourth largest response area involved. I think that if we wanted public input, we got it in Brooke, if you look

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and page 10 of 16. So, again, I can't see taking the public... there were a number of dots on the Brooke area. Be it controversial or noncontroversial is not an issue here. I think the public spoke when they sat down and put the dots on it and that's what we asked them to do.

Mr. Field: Mr. Chairman?

Mr. Howard: Mr. Fields.

Mr. Fields: I would like to... and I understand and certainly respect other people's opinions on this... I would offer once again just as we have with Southern Gateway and hopefully we can do with Courthouse too... there's many different scenarios and it's easy sometimes to get lost in the weeds. I would at least ask my colleagues to think one more time about the ultimate solutions to all of urban sprawl is to locate jobs and people in the same place. The staggering cost of maintaining services without a concurrent long-term stable commercial base, which really means real living wage employment... not shopping centers and sub-living wage employment that they entail... but real living wage employment long term. That creates the balance not only fiscally but it creates a social and political balance that allows a community to function and that's, I know, not speaking for Ms. Kirkman, but if it seems like we constantly are hammering the same point over again, it's... I want to make sure that everybody understands that's our first principal. Not the most efficient way to move people out of Stafford County to jobs other places, which we already are groaning under the weight of, but ways to encourage the colocation of high quality employment and quality places of living. So that's my constant problem with the Brooke UDA.

Mr. Howard: Thank you. Mrs. Hazard you have not commented yet, I know you had the question. But did you want to add any commentary?

Mrs. Hazard: Sure, and I thank you for pulling up the visual. Like I said, it's always nice to be able to see what we're looking at. I have thought long and hard about this one. I've tried to look at the public input. I do have... I like the thought of a rail station being able to move people; however, I am concerned about where it is located and getting to it and getting the services to it. I believe that we... how it's tied to the Transfer of Development Rights, we need to really work through those issues. I think we need to look at any ordinance in a way that says we are looking at an ordinance in a pure sense and not for a specific purpose. That being said I do... I would prefer... I was in general supportive of Ms. Kirkman's motion about Boswell's Corner, however, I do not think that is going anywhere. So we want to move them closer to where people can move so I am going to support the motion.

Mr. Howard: Any other comments? Okay, hearing none I'll call for the vote. All those in favor of Ms. Kirkman's motion signify by saying aye.

Mr. Fields: Aye.

Mrs. Hazard: Aye.

Mr. Rhodes: Aye.

Ms. Kirkman: Aye.

Mr. Hirons: Aye.

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Mr. Howard: Opposed nay?

Mr. Mitchell: Nay.

Mr. Howard: Nay. The motion carries 5 to 2.

Mr. Fields: 2G.

Mr. Howard: Okay we were on... actually we had to finish one more attachment there. It was the last attachment on the... attachment, I guess, 2G, Widewater Area Land Use Maps.

Mr. Harvey: Yes. And Mr. Chairman, also just to remind the Commission, we'll have a very similar exercise when you discuss the Brooke area too, because it currently is in an Urban Service Area and undesignated land use.

Ms. Kirkman: I think probably what then makes sense is a follow-up motion is an additional motion to return Brooke to the agricultural services land use that it was prior to the Board's action in December... well, that's right they didn't adopt. So right now it's current... what is it currently designated? Or is it like the amorphous...?

Mr. Harvey: It's undesignated. Staff would note that the surrounding area is designated agricultural/rural.

Ms. Kirkman: So I would move that it be designated agricultural/rural and the Urban Services Area boundary be brought back to its original boundary prior to... because that did get changed by the Board's action, correct, in December?

Mr. Zuraf: The Urban Service Area? No.

Mr. Rhodes: Just changed the land use.

Mr. Zuraf: Just the land use so you would... you should include the Urban Service Area if that's...

Ms. Kirkman: Well, if staff could clarify, because how did the USA for Widewater get moved but not for Brooke?

Mr. Zuraf: It didn't.

Ms. Kirkman: Then why do we have to do something tonight about the Urban Service Area for Widewater?

Mr. Zuraf: Because that's still in place. And just as...

Ms. Kirkman: No, that was changed.

Mr. Harvey: I think we are talking about two different things.

Mr. Howard: Hold on. The Urban Services Area for Brooke Station I don't believe exists at the moment because that was removed and...

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Ms. Kirkman: No, only the UDA was removed; the Urban Services Area was not removed.

Mr. Howard: Okay. So it's the same issue as Widewater.

Ms. Kirkman: I see Mr. Taves shaking his head correct.

Mr. Howard: Then that is the same issue as Widewater.

Ms. Kirkman: Yeah. So my... and Mr. Zuraf is as well... so my motion is to designate the Brooke area entirely as agricultural and to return the Urban Service Area boundary back to what it was prior to the Board's December 2010 action.

Mr. Fields: Second.

Mr. Howard: Okay, discussion?

Mr. Rhodes: Just to qualify with that last question are we turning over the service area only as pertaining to that Brooke...

Ms. Kirkman: That's correct, just the Brooke UDA.

Mr. Rhodes: Urban Service Area.

Ms. Kirkman: Right, because right now there's this island of an Urban Service Area.

Mr. Rhodes: Just the island?

Ms. Kirkman: Just the island.

Mr. Howard: Any other discussion? Hearing none I'll just go on the record again. I think not supporting the Brooke UDA is a huge mistake, but albeit, it's being made. And to not leverage the railroad in a county like Stafford that's growing by leaps and bounds and eventually will be called a bedroom community of Washington, D.C. and albeit, the UDA legislation is designed to create good jobs close to home and all that will occur. There will always be a need to travel up to Washington, D.C. even if you're officed out of here in Stafford. So, to not leverage the railroad station reminds me of counties I've observed in the past. There's some that have done it great, when you look at some of the more urban areas in States that have really grown quickly and leveraged rail and other mass transit. And we just don't seem to get on that right page. We're going back to a time where we probably will regret I think going forward. So I appreciate everyone's opinions but I really don't think this is a good step in terms of urban development. So that's my comment. Alright, I'll call for the vote. All those in favor of Ms. Kirkman's motion signify by saying aye.

Mr. Fields: Aye.

Mrs. Hazard: Aye.

Mr. Rhodes: Aye.

Ms. Kirkman: Aye.

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Mr. Hirons: Aye.

Mr. Howard: Opposed nay?

Mr. Mitchell: Nay.

Mr. Howard: Nay. The motion carries 5 to 2. Okay, now can we go back to 2b?

Ms. Kirkman: Mr. Chair, I just wanted to note... want to observe it's not the usual 5 to 2.

Mr. Howard: You are absolutely right. Let the record show it's definitely not the normal 5 to 2.

Mr. Fields: Before we go, as we are moving to the Widewater, that's what we're doing?

Mr. Howard: Yes sir, I would like to get that off the table at some point.

Mr. Fields: Mr. Chair, I would like to request that since we had this question... I wanted to get this up front. This may preclude us... in my mind we might not be able to make a decision until we hear in terms of the long term... get a review on the long term goals of Patawomeck Park and whether or not that could be served adequately with onsite sewage disposal. I wouldn't want to get into a decision on whether to officially run sewer to that parcel or not based on not really understanding the full picture. Because, you know, you can run... houses are what really demand, you know, are really hard on septic fields. Quite often a park you know has a fairly low intensity use in terms of its actual sewage disposal problems. Not to mention that you know it would also in my mind offer an opportunity, a park like that, the size of it and location, as onsite systems evolve both environmentally and technologically, could actually be a great showcase or even a showcase project for creative and environmentally sound onsite systems versus the implications that whenever you run sewer lines now you've created a whole giant can of worms, i.e. secondary development effects. So at least I would like to know could conventional septic systems handle the future development of Patawomeck Park for the next 20 years or not and I'm not sure we can get that answer tonight.

Mr. Howard: Well, actually, part of the parkland was part of the Comp Plan and I thought this was a park that was... I could be wrong, but I thought this was designated for additional expansion.

Ms. Kirkman: Mr. Chair?

Mr. Howard: But for use as a park.

Mr. Fields: Yes.

Ms. Kirkman: Yeah, Mr. Chair, this is my district. And the other consideration is not just theoretically what we would like but what's actually in the construction improvement plan for that park in terms of capital improvements.

Mr. Howard: Which is a five year view typically.

Ms. Kirkman: And I believe at this point there are no approved capital improvements that require any more intense...

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Mr. Howard: I'm not sure. Do we know that answer Mr. Harvey, to Mr. Fields question?

Mr. Harvey: Mr. Chairman, I do not know the answer to that question. We can check with the Parks Department to see what their long term view of that park is. I know at one point in time there was discussion about maybe having a community type center building there, but I am not certain if that's still anywhere in the discussion at all.

Mr. Howard: Okay.

Ms. Kirkman: I don't think we have anything in the Comprehensive Plan regarding additional capital improvements at that park site, which is the 20 year plan.

Mr. Howard: I think there was something denoted for expansion of fields. I don't know that there's a, to your point, Capital Improvement Plan with buildings or infrastructure but certainly utilization of land that's there. Okay, so we are still on this map. Is there a desire then to make a motion to include the school at least in the...?

Ms. Kirkman: I think what we've determined is that any action is immaterial because the school already has water and sewer.

Mr. Howard: But why wouldn't you want the proper boundary on that?

Mr. Rhodes: A map to represent it.

Ms. Kirkman: My concern is then it then opens up adjacent properties to connections to water and sewer.

Mr. Howard: Well, could that still occur? Does water and sewer go into that facility?

Ms. Kirkman: It couldn't now because it... if the boundary... well, I'll let staff...

Mr. Howard: Yeah, let staff answer that.

Mr. Harvey: Mr. Chairman, looking... knowing the area and also looking at the map, there are adjacent properties between the school and Telegraph Road that already potentially could connect to water and sewer because of the lines being in the... either in or adjacent to the right-of-way for the road. The pump station is on the far side of the school. The properties that would potentially benefit would be those to the east of the school that currently would not have a... well, which are not adjacent to... would not be adjacent to the Urban Service Area if the school is excluded.

Mr. Howard: Right, okay.

Mr. Hirons: And Mr.... I'm sorry Mr. Chairman.

Mr. Howard: Yes, Mr. Hirons.

Mr. Hirons: Mr. Harvey, you had stated that would be a one parcel at a time connection, correct? Any more than one would require action by the Planning Commission?

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Mr. Harvey: Correct.

Mr. Howard: So leave it out there, I'm a proponent of having the correct maps.

Mr. Hirons: Yeah, Mr. Chairman, I support including both the park and the school site inside of the Urban Services Area. I sat on the... used to sit on the Board of the Stafford Baseball League which is one of the high user groups of that park. We send, I don't remember, it was somewhere between 300 and 600 kids on that park every Saturday during the spring and fall. I think having adequate facilities is probably a pretty good idea for the users of that park.

Mr. Howard: Well, there's no motion so I'm bringing it up to see if anybody wanted to make one.

Mr. Hirons: You're right and I was just making my comments waiting for a motion.

Mr. Rhodes: Mr. Chairman?

Mr. Howard: Yes.

Mr. Rhodes: I would also ask about the one little... looking at attachment 2G, that one little portion that's in red in the bottom lower left-hand corner, that if you went back to the old black lines, if that were a part of a proposal, what does that represent? That little... that's a question for staff.

Ms. Kirkman: I'm sorry... Mr. Rhodes, which are you referring to?

Mr. Rhodes: Attachment 2G.

Mr. Howard: 2G.

Mr. Rhodes: The lower left corner, there's a section that's in red that's outside the black.

Mr. Harvey: Mr. Chairman, we could pull up the computer if the Commission desires.

Mr. Howard: Yeah, why don't we do that.

Ms. Kirkman: Yeah, that's not the Widewater peninsula so I'm not sure why...

Mr. Harvey: Computer please.

Mr. Rhodes: The only thing... I bring that up to say if I were King for a day I'd add the school in and I'd add that little portion there and go back to the black lines. That's all I have Mr. Chairman.

Mr. Harvey: Computer please.

Mr. Howard: They'll pull up the computer right now and we'll find out Mr. Rhodes. Thank you.

Mr. Zuraf: Computer please.

Mr. Howard: Computer please, Caroline. Thank you. There you go, right where the magnifier is. Actually there are two sections there.

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Mr. Harvey: Mr. Chairman, you can see there are two small areas that were modified between the previous version of the Urban Service Area and the current version. You see that is where the gaps between the red and the black lines.

Mr. Howard: Right. Do you recall why?

Ms. Kirkman: So, Mr. Chair?

Mr. Howard: I have a question to Mr. Harvey, hold on Ms. Kirkman. Mr. Harvey, do you recall why, or Mr. Zuraf?

Mr. Zuraf: Well I think that's part of the extension that occurred during some of the discussion. Well... yeah, that portion was added. But also just wanted to note that that's outside of Widewater so that would not be part of this...

Ms. Kirkman: Yeah, that was the point I was going to make.

Mr. Zuraf: Yeah.

Ms. Kirkman: I don't think we need to even look at those two areas in red because those are not on the Widewater Peninsula.

Mr. Howard: Do you recall why they came out of the Urban Service Area?

Ms. Kirkman: They're not.

Mr. Zuraf: Well that actually... that was added in.

Mr. Howard: The red is...

Mr. Zuraf: Red is the latest version.

Mr. Howard: Okay, gotcha.

Mr. Zuraf: I think the focus is going to be where this extension meets up with the old.

Mr. Rhodes: Gotcha, okay.

Mr. Howard: Okay, thank you. Alright, so there's no motion on the table for the school.

Ms. Kirkman: Well, this is... Mr. Chair, this is in my district so I will make the motion. And having considered the discussion of my colleagues, the motion that I'm going to make is, first and foremost, to restore the agricultural use designation for the Widewater Peninsula and the second part of the motion is to return the Urban Services Area, on the Widewater Peninsula only, back to the original boundary with the exception of the school, so to include the school. And I see that as, you know... listening to what my colleagues have had to say, I have much more concerns about the park for a number of reasons. And if we need to, we can take another look at that next week. But for now that's the motion that I am putting on the table.

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Mr. Howard: Is there a second?

Mr. Fields: Second.

Mr. Howard: Okay, discussion?

Mrs. Hazard: Mr. Chairman, just based on some of the school comments we had received, I know, during the Comprehensive Plan some of... many of the comments from the school were that they wanted the schools within Urban Services Areas. I know it's come up in Hartwood and other areas so I just think that remains consistent with something they have requested, and it's already done and it seems like we should just show it that way.

Mr. Howard: Okay.

Ms. Kirkman: And Mr. Chair, I think I need to also amend my motion. I'd forgotten about the Transportation piece to remove the Widewater Parkway and the VRE Station as well.

Mr. Fields: I agree to that.

Mr. Harvey: And Mr. Chairman and Ms. Kirkman, there's another road on our Transportation map that does not show up on this map.

Ms. Kirkman: Oh, is this the connection through to Route 1?

Mr. Harvey: No, there's a different road that connects through Patawomeck Park over to the Widewater Parkway.

Mr. Howard: As part of the UDA?

Mr. Harvey: No.

Mr. Howard: No.

Mr. Harvey: It's in our current Transportation Plan.

Mr. Howard: Right, because that pipe-stem is already built.

Mr. Harvey: Yes and it's posing a problem for our Parks Department, because the property was part of an exchange for what is now Quantico Corporate Center. So this parkland that the County has is under the review of the government services... General Services Administration of the Federal Government. And they are concerned that that road not be extended through... become a through-way because they feel that that would be contrary to the purpose of the park. So the Parks Department has asked staff to consider, whenever the appropriate amendment in time came up, that we delete that road.

Ms. Kirkman: And I will make an additional amendment to that effect. And I actually know the history of that. That actually...

Mr. Howard: Mr. Fields, do you accept that?

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Mr. Fields: I certainly do.

Mr. Howard: Alright.

Mr. Howard: The motion on the table is to basically retract everything that went into the UDA to include the Widewater Parkway, the Urban Service Area... right?

Ms. Kirkman: The motion is to... on the Widewater Peninsula only... to return the Urban Services Area back to its original boundary prior to the Board's December 2010 action with the exception of the school. The second part of the motion is to remove the VRE Station, the Widewater Parkway and the connecting road through Patawomeck Park. And the third part of the motion is to designate the Widewater Peninsula area outside of the Urban Services Area boundary as agricultural land use.

Mr. Howard: Mr. Fields, do you concur that's the motion?

Mr. Fields: I concur.

Mr. Howard: Okay. Any other discussion? Hearing none I will now call for the vote. All those in favor of Ms. Kirkman's motion signify by saying aye.

Mr. Fields: Aye.

Mrs. Hazard: Aye.

Mr. Rhodes: Aye.

Mr. Hirons: Aye.

Ms. Kirkman: Aye.

Mr. Howard: Aye. Opposed nay?

Mr. Mitchell: Nay.

Mr. Howard: The motion carries 6 to 1. Okay. Mr. Harvey, were there any other issues that staff noted or would like us to...? Yes.

Mr. Harvey: Mr. Chairman, just for staff's clarification, is it the Commission's intent that Patawomeck Park stay designated as parkland since it's outside of the Urban Service Area?

Mr. Zuraf: And the State Park?

Ms. Kirkman: Thank you.

Mr. Fields: No, we have too many parks already.

Ms. Kirkman: Yes, do we need... from our attorneys, do we need to restate the motion? So, I think just so everything is all set and so knowing the litigious nature of some of the property owners out there, let me once again move the following that first that...

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Mr. Howard: We have already voted so why don't you just make another motion to have those designated.

Ms. Kirkman: Okay. Alright, I'm making a motion that the Patawomeck Park and the State Park, as currently designated, remain as parkland on the comprehensive map.

Mr. Fields: Second.

Mr. Howard: Any discussion? All those in favor of Ms. Kirkman's motion signify by saying aye.

Mr. Fields: Aye.

Mrs. Hazard: Aye.

Mr. Rhodes: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Opposed nay?

Ms. Kirkman: And I...

Mr. Howard: The motion carried 7-0.

Ms. Kirkman: I just want to confirm with the attorneys that we're all covered at this point.

Mr. Smith: I think that the second motion addresses the concerns that were raised.

Ms. Kirkman: Okay, thank you.

Mr. Howard: Okay. Mrs. Hazard, you wanted to extend the Centreport UDA?

Mrs. Hazard: I did and I know that... I think staff was going to be working on just showing us that and I didn't know if we had resolved that or not.

Mr. Howard: So if we can see that and then, Mr. Harvey, the same question... if there's anything else that we have any stones we haven't turned over yet.

Mr. Harvey: May we have the computer please? Mr. Chairman and Mrs. Hazard, this is the area being highlighted as potential change. It would follow... it would extend the Urban Service Area boundary to Hulls Chapel Road and Moorewood Lane. And also extend the UDA as well.

Mrs. Hazard: Right. The easy one from our packet is that attachment, page 18 of however many pages we have. It just would make that whole road, Truslow to Enon to Hulls Chapel Road, a hard boundary for a UDA which... or to any type of and the Urban Services Area. It seems like any kind of

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development is going to develop along a single solitary road that runs along there. It just seems like it makes sense to take that boundary all the way to that road.

Mr. Rhodes: Mr. Chairman?

Mr. Howard: Yes Mr. Rhodes?

Mr. Rhodes: I would just actually ask Mrs. Hazard about the portion that we added in now that we've taken back out the units. Is there a reason to, I don't really have a strong feeling either way, is there a reason to keep it or... ?

Mrs. Hazard: It seems like that area is mostly an area that could have single-family. There are single-family now and there is like 2,200 that we want to put in.

Mr. Rhodes: Just wanted to raise it since we had a...

Mrs. Hazard: I appreciate it.

Mr. Rhodes: And then my only other comment would just be I think staff had actually logical reasons for not including that portion, but I certainly don't feel so strongly that I wouldn't be supportive of any motion that came up to add this either.

Mr. Howard: Do you recall, Mr. Zuraf, why that...why we didn't use the streets as the hard boundary? It looked like property lines.

Mr. Zuraf: As I mentioned, that was along that road you have older... it's kind of a more rural residential area... larger, older larger lots and the boundary is the limits of the Centreport rezoning where you have higher density and it's undeveloped area.

Mr. Howard: Okay.

Mrs. Hazard: I'm still going to make the motion because I think access and other points ultimately will make this, if it ends up into a density area, we're going to need as many entry points as possible which could be used through this road. So I am going to make the motion to extend that boundary, including the Urban Services Area, to the boundary of Hulls Chapel Road in the Centreport UDA.

Mr. Howard: Is there a second? I'll second for discussion. Okay.

Mr. Hirons: I was going to say I will second but...

Mr. Howard: Alright.

Mr. Hirons: You beat me to it.

Mr. Howard: Go ahead.

Mr. Hirons: Did you have any discussion Mrs. Hazard?

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Mrs. Hazard: No, I think I have stated them. Just when you look at the map and we look at planning and we want transportation and entry in there it seems like that's a good hard boundary to use at this time.

Mr. Hirons: I was just going to add as knowing that area pretty well it makes a lot of sense.

Mr. Howard: Okay.

Mr. Fields: Mr. Chairman, I would like to... I am actually going to abstain from this vote because I know Mrs. Hazard is being very thoughtful and I think she is being very thorough and I respect that. I just absolutely still cannot abide really the existence of the Centreport UDA. So I don't want to seem like I'm being negative to her constructive comments but I just can't be supportive of the UDA in general.

Mr. Howard: Okay. All those in favor... is there any other discussion? Okay, all those in favor signify by saying aye.

Mrs. Hazard: Aye.

Mr. Rhodes: Aye.

Mr. Mitchell: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Opposed nay? And one abstention. So the motion... two abstentions. And your reason for abstention, Ms. Kirkman?

Ms. Kirkman: I concur with Mr. Fields' assessment. I really am very concerned about putting any kind of development around the airport. I just... I think it's asking for trouble.

Mr. Howard: Alright, so there's five... the motion carried 5-0-2.

Mr. Rhodes: Hockey.

Mr. Howard: Yes. Alright, Mr. Harvey, back to that question I asked you a moment ago. From your perspective is there any other information or direction you would like... because at this point I think we went through everything and we're ready to say, I believe, as a Commission proceed forward with what you've presented other than the changes that were made obviously and then these would convert to our recommendations as well in addition to what we voted on.

Mr. Harvey: Yes Mr. Chairman. There are a couple questions still lingering.

Mr. Howard: Okay.

Mr. Harvey: One is just to get for staff's clarification on Centreport. In our proposal we had added additional UDA area closer to the Interstate that sort of created a hard edge along Wyatt Lane and some other roads in the area and was asking the Commission was that part of the motion to... when

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they adopted the new boundary for Centreport area? I know the focus of the discussion was along Hulls Chapel Road, but was the motion to include the additional area that staff had recommended?

Mr. Rhodes: One person's opinion, I thought it was because that was the portion I was asking her. Was she still considering keeping it in there?

Mr. Howard: Yes, yes.

Mr. Rhodes: And she said she still thought that would be useful for single-family homes. So I took the motion as also including that portion to the right, to the east.

Mr. Harvey: Thank you for that clarification. I guess the other question is sort of following up to the process of having alternate proposals. I would suggest and see if this is okay with the Commission that we... for discussion purposes and laying it out and also for advertising we refer to one as Alternate A or Alternate B. Just to try to minimize some confusion as to why the public may see two very similar maps but with different things.

Mr. Howard: Yeah, I think that's... to delineate those you have to do that, so I think that makes sense.

Ms. Kirkman: Could I get clarification because I do think there is a potential for it to get very confusing here. We have the Resolution the Board sent...

Mr. Howard: Yes.

Ms. Kirkman: So, although we're not voting tonight it does sound as like that is one of the...

Mr. Howard: Yes.

Ms. Kirkman: ...Resolutions that will be considered for a vote next time. And then we have all these other changes that were adopted... recommended changes that were adopted tonight. So would we have like Plan A, which would be the Board's Resolution and then Plan B that would include all of these? Because in some ways you really do need to look at these as a package as part of a Comprehensive Plan and that's... rather than Plan A, Plan B, Plan C, Plan C2, Plan C3...

Mr. Howard: I think that's what Mr. Harvey was suggesting.

Ms. Kirkman: I just wanted to clarify.

Mr. Harvey: Yes, but Mr. Chairman, but I guess to get clarification for the staff. My assumption from hearing the discussion was that there would be one plan that would take the Board's recommendations and include the modifications that staff and the Commission have discussed tonight. And there would be another plan that looked at the Board's recommendations and took into account the Commission's recommendations that vary from that.

Ms. Kirkman: Yes, I think we're... so we're talking about presenting two resolutions.

Mr. Howard: Yeah, I think you're saying the same thing.

Mr. Harvey: I just wanted to clarify.

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Mr. Howard: Yeah. Alright Mr. Taves.

Mr. Taves: Mr. Chairman, I don't think the Commission or the Board would be bound or constrained to adopt only this option or option A or option B. It's kind of like doing it piece meal, they could pick this part of A and this part of B, so on and so forth. And I believe you, and I don't want to quibble with words, but just to make sure it's clear to the Commission, the Commission actually hasn't made any recommendations at this point. That would come after the public hearing.

Mr. Howard: Yes.

Mr. Taves: But you're giving Mr. Harvey...

Mr. Howard: We're giving staff direction.

Mr. Taves: Right.

Mr. Howard: We're making recommendations to staff.

Mr. Taves: Some guidance to, you know, construct the public hearing that is going to come forward in a month or so.

Mr. Howard: Correct.

Mr. Taves: Okay.

Mr. Howard: Yes.

Mr. Harvey: Thank you, that's very helpful.

Mr. Howard: Okay. I'm going to step down as Chair and hand the gavel to Mr. Rhodes to make a motion. And I'll explain why after I make the motion and hopefully it gets seconded. But I also want to make a motion to direct staff to include all amendments made at the Planning Commission meeting this evening, all of the recommendations sent to us by the Board of Supervisors, and any other information that staff deems as necessary in terms of amendments because we've missed some things in the past after having these meetings. And I am sure there are one or two things that we may not have captured, whether it's land use or some boundary. While I think we've tried to be diligent, I just want to make sure that you've got some leeway when you come back to us next week to say listen, this fell under what Gordon's motion was, you know, and we're bringing it to your attention. So let me just restate it; I want make a motion to direct the staff to include all amendments made at the Planning Commission meeting, as well as the amendments made from the Board of Supervisors and any other amendments staff deems as necessary.

Mr. Rhodes: Is there a second?

Mr. Mitchell: Second.

Mr. Rhodes: Discussion?

Mr. Howard: So again...

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Ms. Kirkman: I...

Mr. Howard: I think I was pretty clear. The reason is just to make sure nothing has slipped through the cracks. So that the piece of that is really adding on to allow staff... give them some leeway to say listen, we drafted an amendment and here's why because when we went back, looked through the notes and we looked at the maps, this was a gap and we think you want to close that gap before it goes to public hearing.

Ms. Kirkman: To...

Mr. Rhodes: Mr. Mitchell, seconder.

Mr. Howard: Any comments?

Mr. Rhodes: Any other comments?

Ms. Kirkman: Yes Mr. Vice-Chair. I just... do we need to even make the... I mean, is there anything now without making the motion that would keep staff from coming back to us next week and saying oh, this got overlooked, like the parkland issue? Is there anything... I mean, do they need that?

Mr. Rhodes: My impression from the motion was... I will let Mr. Howard speak certainly... but my impression from the motion was just to make clear and explicit the expectation that they would be bringing forward everything and that there was no confusion that they only had to act on just those things that we had individually directed them. Given that we sometimes give them some confusion, it's just to clarify the point. But, Mr. Howard, was there any other... ?

Mr. Howard: No, Mr. Rhodes, I think you captured the essence of it. Ms. Kirkman, it's really to keep it clean because anything that we advance next Wednesday should go to the public hearing and should be advertised and contained within the public notice. And I just want... if something was drafted and it came from staff, I want to make sure we're covered because we've actually created a... we had a vote, created an amendment or a motion, I guess, to have a vote and directed staff to do that. And they are under the direction of the Planning Commission to create those amendments if they deem necessary or as they deem necessary.

Ms. Kirkman: So this would just... just to clarify, this would just be if there is some technical aspect...

Mr. Howard: Absolutely.

Ms. Kirkman: ...that got overlooked rather than...

Mr. Howard: Not their own opinion.

Ms. Kirkman: ...substantive changes.

Mr. Howard: But also, yeah, and not anecdotal or opinion, it's...

Ms. Kirkman: Right.

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Mr. Howard: ...it's if we missed something because we made several changes this evening.

Ms. Kirkman: Like the example of the parkland uses?

Mr. Howard: Exactly right.

Ms. Kirkman: Okay. Thank you for that clarification.

Mr. Rhodes: Any other discussion?

Mr. Hirons: Yes, Mr. Vice-Chair and Mr. Gordon. Maybe I'm just a little confused here. I'm moving a little slow with a little bit of a head cold I have.

Mr. Howard: It's not the first time.

Mr. Hirons: Thank you. The intention of the motion is for staff to prepare advertisements to what will ultimately present the public with Option A and Option B. Option A presumably... and go whatever order you want... Option A being what the Board recommended to us to recommend and then Option B being what we determined here tonight.

Mr. Howard: And to include...

Mr. Hirons: And to include fixes.

Mr. Howard: Yeah.

Mr. Hirons: I don't care about that. I mean I supported that, I should say... that part of it. I don't support presenting these two options. We have a process here and the ball is in our court so our job is to make recommendations per the Resolution that the Board passed onto us. Our job is to make a recommendation back to them. I don't think our job is to make a recommendation back to them and also say oh, by the way you recommended this, and spend more money on advertising...

Mr. Howard: I think that's fair, I am not sure that has...

Mr. Hirons: ...that's more ink.

Mr. Howard: I'm not sure that is part of my motion right now but you certainly have the right to that opinion.

Ms. Kirkman: Could we take that up in a separate motion after we're done with the motion that's on the floor?

Mr. Hirons: A lot of opinions tonight.

Mr. Howard: I don't see why not.

Mr. Hirons: I can't support the motion because the ultimate intent is to present the public with something that I believe is going to confuse them. I think this would be more confusing sending out these multiple options. I know, I've received a heck of a lot more email and phone calls and people

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just chatting with me about this whole process and I am able to direct them pretty well to the website for more information; even to previous articles in the Free Lance-Star. I don't know... I fear this is going to just confuse people even more, so it's obviously going to confuse me. So I can't support the motion.

Mr. Rhodes: I would just, to give clarification from staff, I had taken, especially as a follow-on to the comment that Mr. Taves had mentioned, I had taken this as a way to package it to try and be less confusing to say we are looking at options as were presented in the Board Resolution. In addition, we are looking at options, which have several variables, but we are packaging them as one set of options that we discussed here tonight which were refinement to modifications to what had come out. But, at the end of the day, our recommendation would be to shape the best combination of those that we think makes, after the public hearings, after all comments, that we think would be the best recommendations to go forward to the Board. Is that how this is being packaged in your understanding Mr. Harvey?

Mr. Harvey: Yes, my question about the alternatives was to one, speak to the Board's directives to the Commission and two, to the alternative that the Commission had come up with from those directives. Both of those were reflected because it was my understanding that the Commission still has to consider the Board's directive.

Ms. Kirkman: Mr. Chair?

Mr. Howard: Yes.

Mr. Rhodes: Yes Ms. Kirkman.

Ms. Kirkman: If... oh Vice-Chair?

Mr. Howard: He is still...

Ms. Kirkman: Presiding?

Mr. Howard: Yeah.

Ms. Kirkman: Yeah, okay. If my colleague from the Falmouth District wanted to entertain a substitute motion to direct staff to only prepare a Resolution regarding Plan B with technical fixes, I would certainly like to hear that.

Mr. Hirons: I am personally going to refrain from making that substitute motion at this time.

Ms. Kirkman: Okay.

Mr. Hirons: But I still won't support the main motion.

Ms. Kirkman: I was just trying to find a way out of this, so... okay.

Mr. Rhodes: Any other discussion? Yes Mr. Fields.

Mr. Fields: Actually I agree with Mr. Hirons. I think at a certain point our recommendation has to have the cogency of our recommendation. It's obvious that we've... though the votes weren't all

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unanimous, the majority of us have some substantive changes that they would like to see. I think it makes more sense for that to be what we talk about and present and it's very clear what the Board wants. They've articulated that in their motion. So, I think Mr. Hirons is right on the track here. If we present here's what the Board asked us to look at, here's what our changes are, it's a very different thing than if the Planning Commission in consideration of the Board's recommendation makes this recommendation. It's much more... it focuses the debate more clearly on what's at hand rather than the two things. So I will join him in not supporting the motion.

Mr. Rhodes: Any other discussion?

Mrs. Hazard: Yes Mr. Vice-Chairman.

Mr. Rhodes: Yes Mrs. Hazard.

Mrs. Hazard: I believe, at this point, I am very in line with what Mr. Hirons is thinking in terms of we really have to be careful about how we are going to present this. I did not understand the motion maker's intent was we are voting right now on what we are presenting to the paper. My understanding of that was we have asked staff to prepare a possibility of showing two options. We may vote at the next meeting yay or nay, this is too confusing. This is not something we can... there is not a good way to package this. So, at this moment, I am going to support the motion so I can see what we would be voting on or choosing between the options to advertise and consult in consultation with our legal staff to make sure what we are advertising is correct. So at this moment I will be supporting it until I see what we have to deal with.

Mr. Rhodes: Thank you Mrs. Hazard. Any other discussion?

Mr. Howard: Yeah, that was my... that's really the main goal was to give us a clarity but also allow the whole Commission, as well as whatever we advance after next week's meeting, the public to really see full view. So that's the goal and then to add the staff's ability to put in there what they deem necessary was to really clean up any holes that we may have created.

Mr. Rhodes: Okay, thank you Mr. Howard. Any other discussion? Hearing none I will call for the vote. All those in favor of Mr. Howard's motion please signify by saying aye.

Mrs. Hazard: Aye.

Mr. Howard: Aye.

Mr. Mitchell: Aye.

Mr. Rhodes: Aye. All those against, nay.

Mr. Fields: Nay.

Ms. Kirkman: Nay.

Mr. Hirons: Nay.

Mr. Rhodes: That was 4 to 3. Very good, we got all kinds of numbers. I will hand it back.

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Mr. Howard: Thank you. Great. Okay... Mr. Harvey, is there anything else that you can think of from a staff perspective?

Mr. Harvey: Yes Mr. Chairman, I think it would be great if the Commission would talk about the timeline and whether... the schedule and trying to consider whether you want to hold a special meeting for the public hearing.

Ms. Kirkman: Do we need to make that decision tonight or can we make it when we make the decision about what (inaudible) hearing? Is there... I mean, is there a staff need to do this tonight? Does it help you? Or does it not?

Mr. Harvey: It helps us get better prepared for preparing the advertisement. As you can see from the timeline, we have to have the ad to the paper essentially a week after next week's Planning Commission meeting. Any additional lead time helps the staff also with public notice about changing your meeting schedule.

Ms. Kirkman: Well, I certainly understand about the public meeting schedule and certainly also preparing applicants for what would have been scheduled for the 16th, if we consider that. But I don't understand how it helps staff prepare the ad since the Planning Commission has not yet decided what is going to public hearing.

Mr. Harvey: True. We will be working on the maps in the meantime.

Mr. Howard: Well, and I think in fairness, anytime I've had a deadline with dates and milestones I am always better. So I think that's what Mr. Harvey is really asking. Say hey, we've got a lot on our plate here and is there any way that we can get some guidance from the Planning Commission, do these timeframes work. And I think that's more or less what he's asking. So, the will of the Commission, we opted not to vote last time on this only because we knew we were meeting tonight for the special meeting. So we can do that again and wait until next Wednesday, but...

Mr. Hirons: Mr. Chairman, I came in tonight I think thinking much the way Ms. Kirkman was about this April 1st arbitrary deadline doesn't necessarily... might not fit into our process. But honestly I think we made a lot of progress tonight and delaying any more probably wouldn't have a heck of a lot of value. So, I would move that the Planning Commission adopt the schedule as presented to include cancellation of the regular March 16th meeting, adding a special meeting on March 30th.

Mr. Howard: Is there a second?

Mr. Rhodes: Second.

Mr. Howard: Discussion?

Mr. Hirons: Maybe we will actually finish this process.

Mr. Howard: Don't know. Alright, hearing no discussion I'll call for the vote. All those in favor of the motion which is adopting the proposed...

Ms. Kirkman: (Inaudible - microphone not on).

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Mr. Howard: Absolutely.

Ms. Kirkman: The only concern I have about this is that it's hard to vote on a schedule when we have not yet voted on what's going to public hearing. And so I want to clarify that we have the ability to amend this schedule based on the outcome of the discussions next week.

Mr. Howard: Somebody would have to make a motion next week; but yeah, I would think so.

Ms. Kirkman: So do our attorneys...

Mr. Fields: This is a provisional schedule but you're assuming that of course if there was compelling reason to extend...

Mr. Howard: Just like you can change an agenda at a meeting. I believe you can, based on Robert's Rules.

Ms. Kirkman: I'm just concerned about voting on a schedule to do something when we haven't voted on what's going to public hearing.

Mr. Howard: It's a fair comment. I believe we can change the deadline for the schedule.

Ms. Kirkman: I think for that reason... at the same time I don't want to hold up the process... I think for that reason I'm going to abstain from the vote.

Mr. Howard: Okay. Any other comments? Hearing none I'll call for the vote to adopt the schedule that's in front of us. All those in favor signify by saying aye.

Mrs. Hazard: Aye.

Mr. Rhodes: Aye.

Mr. Mitchell: Aye.

Mr. Hirons: Nay.

Mr. Howard: Aye. Opposed nay? And abstentions?

Ms. Kirkman: Abstain.

Mr. Fields: Abstain.

Mr. Howard: Two abstentions; 5-0-2. Okay. Mr. Harvey, anything else that you can think of from staff's perspective? Mr. Zuraf? Mrs. Baker? I know you're out there in the audience, if you have any hand signals for them to help them.

Mr. Harvey: Mr. Chairman, I think staff's got clear direction from the Commission and we will move forward to provide you with an update for your meeting next week. Given the fact that the mail-out for next week's meeting is tomorrow I doubt that we'll have all these changes ready for the mail-out; but we will try to get them to you as far in advance as we can for next week's meeting.

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Mr. Howard: Great.

Ms. Kirkman: On these last minute things, certainly email is a good way to get it to us.

Mr. Harvey: Yes, we'll try to do that if we can.

Mr. Howard: Right; if you can convert it into a PDF that would be great. Well again... is there a Planning Director's report?

PLANNING DIRECTOR'S REPORT

Mr. Harvey: No sir, I have no report tonight.

COUNTY ATTORNEY'S REPORT

Mr. Howard: County Attorney's report?

Mr. Smith: No report Mr. Chairman.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

Mr. Howard: We don't have any committee reports listed. There's no Chairman's report. I just want to reiterate, Mr. Harvey, to you and staff, you did a very good job and I know Mr. Zuraf was driving this, and as well as Mrs. Baker, to get all of what you got prepared for us this evening. It was very helpful and I appreciate you doing that.

Mr. Fields: I concur, Mr. Chairman; excellent job by staff here.

OTHER BUSINESS

APPROVAL OF MINUTES

None

ADJOURNMENT

Mr. Howard: Alright, meeting is adjourned. Thank you. Thank you Mr. Taves; appreciate it.

With no further business to discuss, the meeting was adjourned at 9:21 p.m.